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Canada, Railways, Canals and
Telegraph Lines, Standing
Committee on, 1952/53

Government
Publications

HOUSE OF COMMONS

Seventh Session—Twenty-first Parliament
1952-53

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STANDING COMMITTEE

ON

RAILWAYS, CANALS AND
TELEGRAPH LINES,

Chairman—H. B. McCULLOCH, ESQ.

MINUTES OF PROCEEDINGS AND EVIDENCE [and
No. 3 report]]

Bill No. 191 (Letter D-7 of the Senate),
An Act to amend the Canada Shipping Act, 1934.

MONDAY, MARCH 30, 1953
TUESDAY, MARCH 31, 1953

WITNESSES:

Messrs. W. J. Matthews, Director, Administration and Legal Services; A. Cumyn, Principal Inspector of Machinery; W. A. Caton, Chief Inspector of Radio, and Captain J. W. Kerr, Supervisor of Nautical Services, all of the Department of Transport; Mr. J. I. Bird, of Vancouver, Counsel for the British Columbia Towboat Owners Association and The British Columbia Coastwise Operators Association; Mr. J. A. Lindsay, of Vancouver, Chairman of the British Columbia Towboat Owners Association Special Committee; Captain J. M. Gillison, of Vancouver, Chairman of British Columbia Coastwise Operators Association Special Committee; Mr. S. S. Clarke, of Montreal, General Manager of Clarke Steamship Company Limited of Montreal; Mr. Peter Wright of Toronto, Counsel for The Dominion Marine Association, and Mr. George Donavon, of Toronto, Secretary, The Dominion Marine Association.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1953

STANDING COMMITTEE

RAILWAYS, CANALS AND TELEGRAPH LINES

*Chairman: H. B. McCulloch, Esq.,
Vice-Chairman: H. P. Cavers, Esq.*

Applewhaite,	Fulton,	Mott,
Beaudry,	Garland,	Murphy,
Bertrand,	Gibson,	Murray (<i>Cariboo</i>),
Beyerstein,	Gillis,	Mutch,
Bonnier,	Gourd (<i>Chapleau</i>),	Nickle,
Bourget,	Green,	Nixon,
Browne (<i>St. John's West</i>),	Harkness,	Noseworthy,
Cannon,	Harrison,	Pouliot,
Carroll,	Healy,	Richard (<i>Saint Maurice-Lafleche</i>),
Carter,	Herridge,	Riley,
Cauchon,	Higgins,	Robinson,
Cavers,	Hodgson,	Rooney,
Chevrier,	James,	Ross (<i>Hamilton East</i>),
Churchill,	Lafontaine,	Shaw,
Clark,	Low,	Spence,
Conacher,	Macdonald (<i>Edmonton East</i>),	Stuart (<i>Charlotte</i>),
Darroch,	MacNaught,	Thatcher,
Dewar,	McCulloch,	Whiteside,
Eudes,	McGregor,	Whitman,
Ferguson,	McIvor,	

R. J. GRATRUX,
Clerk of the Committee.

ORDERS OF REFERENCE

THURSDAY, March 12, 1953.

Ordered,—That the following Bill be referred to the said Committee:

Bill No. 191 (Letter D-7 of the Senate), intituled: "An Act to amend the Canada Shipping Act, 1934".

FRIDAY, March 27, 1953.

Ordered,—That the name of Mr. Higgins be substituted for that of Mr. Casselman on the said Committee.

FRIDAY, March 27, 1953.

Ordered,—That the name of Mr. Gibson be substituted for that of Mr. Weaver on the said Committee.

Attest.

LÉON J. RAYMOND,
Clerk of the House.

REPORT TO THE HOUSE

TUESDAY, March 31, 1953.

The Standing Committee on Railways, Canals and Telegraph Lines begs leave to present the following as a

SEVENTH REPORT

Your Committee has considered Bill No. 191 (Letter D-7 of the Senate), intituled: "An Act to amend the Canada Shipping Act, 1934" and has agreed to report the said Bill with the following amendments:

1. Clause 1 is amended by deleting the words "all of whom" in the second line of subclause (2) and inserting therefor the word *who*.

2. Clause 2 is amended by deleting subsection (3) of subclause (1) and inserting therefor the following:

(3) Subsection two also applies to all other steamships of five thousand tons gross tonnage or upwards going on any voyage outside of a port not being an inland voyage.

Clause 2 is further amended by deleting subsection (6) of subclause (3) and inserting therefor the following:

(6) The Governor in Council may by regulation, to the extent and upon such terms and conditions as he may prescribe, provide that

(a) a ship navigating on the Great Lakes or on the River St. Lawrence above the lower exit of the Lachine Canal and the Victoria Bridge at Montreal,

(b) a cargo ship of five hundred tons gross tonnage or upwards but not exceeding five thousand tons gross tonnage going on any voyage outside of a port, and

(c) a ship under five hundred tons gross tonnage engaged in towing another vessel of five hundred tons gross tonnage or over or engaged in towing any other floating object having a dimension in any direction of one hundred and fifty feet or more
shall be fitted with a radiotelephone installation.

3. The said Bill is further amended by inserting new clause 3 as follows:

3. (1) Section 411 of the said Act is repealed and the following substituted therefor:

411. No person shall establish any radio station or install or operate or have in his possession any radio apparatus consisting of a reasonably complete and sufficient combination of distinct radio appliances intended for or capable of being used as a radio station on board any Canadian ship or any vessel licensed in Canada except under and in accordance with a licence granted in that behalf by the Minister under this Act or The Radio Act, 1938.

(2) Subsection (1) of section 412 of the said Act is repealed and the following substituted therefor:

412. (1) Any person who establishes a radio station or installs or operates or has in his possession any radio apparatus on any vessel in violation of the provisions of this Act or of any regulations

made hereunder, is liable on summary conviction to a fine not exceeding fifty dollars, and on conviction under indictment to a fine not exceeding five hundred dollars and to imprisonment for a term not exceeding twelve months, and in either case is liable to forfeit to Her Majesty, any radio apparatus installed or operated without a licence.

4. The said Bill is further amended by renumbering clauses 3, 4, 5, 6 and 7 as 4, 5, 6, 7 and 8, respectively.

5. Clause 6, now clause 7, is amended by deleting the words "all of whom" in the second line of subclause (2) and inserting therefor the word *who*.

6. Clause 7, now clause 8, is amended by deleting subsection (7) of subclause (1) and inserting therefor the following:

(7) Subsection (6) also applies to all other steamships of five thousand tons gross tonnage or upwards going on any voyage outside of a port not being an inland voyage.

Clause 7, now clause 8, is further amended by deleting subsection (10) of subclause (2) and inserting therefor the following:

(10) The Governor in Council may by regulation, to the extent and upon such terms and conditions as he may prescribe, provide that

- (a) a ship navigating on the Great Lakes or on the river St. Lawrence above the lower exit of the Lachine Canal and the Victoria bridge at Montreal,
- (b) a cargo ship of five hundred tons gross tonnage or upwards but not exceeding five thousand tons gross tonnage going on any voyage outside of a port, and
- (c) a ship under five hundred tons gross tonnage engaged in towing another vessel of five hundred tons gross tonnage or over or engaged in towing any other floating object having a dimension in any direction of one hundred and fifty feet or more shall be fitted with a radiotelephone installation.

7. The said Bill is further amended by inserting new clause 9 as follows:

9.(1) Section 416 of the said Act is repealed and the following substituted therefor:

416. No person shall establish any radio station or install or operate or have in his possession any radio apparatus consisting of a reasonably complete and sufficient combination of distinct radio appliances intended for or capable of being used as a radio station on board any Canadian ship or any vessel licensed in Canada except under and in accordance with a licence granted in that behalf by the Minister under this Act or the Radio Act.

(2) Subsection (1) of section 417 of the said Act is repealed and the following substituted therefor:

417.(1) Any person who establishes a radio station or installs or operates or has in his possession any radio apparatus on any vessel in violation of the provisions of this Act or of any regulations made hereunder, is liable on summary conviction to a fine not exceeding fifty dollars, and on conviction under indictment to a fine not exceeding five hundred dollars and to imprisonment for a term not exceeding twelve months, and in either case is liable to forfeit to Her Majesty, any radio apparatus installed or operated without a licence.

8. The said Bill is further amended by renumbering clauses 8 to 12 as 10 to 14, respectively.

9. The said bill is further amended by inserting new clause 15 as follows:

15. Section 3 of this Act shall be deemed to have come into force on the 31st day of March, 1953.

A copy of the evidence adduced thereon is appended hereto.

In its Fourth Report presented on February 9, 1953, your Committee reported Bill No. 38, an Act respecting The Saint John Bridge and Railway Extension Company and Bill No. 39, an Act to amend The Canadian Overseas Telecommunication Corporation Act; copy of the evidence adduced in respect of the said Bills is also appended hereto.

All of which is respectfully submitted.

H. B. McCULLOCH,
Chairman.



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MINUTES OF PROCEEDINGS

MONDAY, March 30, 1953.

The Standing Committee on Railways, Canals and Telegraph Lines met at 11.00 o'clock a.m. this day. Mr. McCulloch, Chairman, presided.

Members present: Messrs. Applewhaite, Browne (St. John's West), Carroll, Carter, Cavers, Chevrier, Churchill, Garland, Gibson, Herridge, Higgins, Hodgson, Lafontaine, Low, McIvor, Mott, Murphy, Murray (Cariboo), Mutch, Noseworthy, Riley, Rooney, Stuart (Charlotte), Whiteside.

In attendance: Messrs. W. J. Matthews, Director, Administration and Legal Services; A. Cumyn, Principal Inspector of Machinery and W. A. Caton, Chief Inspector of Radio, all of the Department of Transport; Mr. J. I. Bird, of Vancouver, Counsel for the British Columbia Towboat Owners Association and The British Columbia Coastwise Operators Association; Mr. J. A. Lindsay of Vancouver, Chairman of the British Columbia Towboat Owners Association Special Committee; Captain J. M. Gillison, of Vancouver, Chairman of British Columbia Coastwise Operators Association Special Committee; Mr. S. S. Clarke, General Manager of Clarke Steamship Company Limited of Montreal; Mr. Peter Wright, of Toronto, Counsel for The Dominion Marine Association, and Mr. George Donavon, of Toronto, Secretary, The Dominion Marine Association.

The Committee commenced consideration of Bill No. 191 (Letter D-7 of the Senate), intituled: "An Act to amend the Canada Shipping Act, 1934".

On motion of Mr. Whiteside:

Resolved: That the Committee print 750 copies in English and 250 copies in French of its minutes of proceedings and evidence in respect of the said Bill.

Mr. Matthews called, made a general statement in explanation of the said Bill and was questioned thereon.

Mr. Cumyn called, made a statement on the technical aspects of Clause 1 and the desire to bring uniformity as between steam and motor engineer certificates, and was questioned thereon.

Mr. Caton called, made a statement on the use of radio telegraph and radio telephone and was questioned thereon.

Mr. Bird called, made a statement in opposition to certain clauses of the Bill, was questioned thereon and retired.

At 1.05 o'clock p.m. the Committee adjourned to meet again at 4.30 o'clock this day.

AFTERNOON SESSION

The Committee resumed at 4.30 o'clock p.m. Mr. McCulloch, Chairman, presided.

Members present: Messrs. Applewhaite, Carroll, Carter, Cavers, Chevrier, Follwell, Garland, Gibson, Green, Herridge, Hodgson, Lafontaine, Low, Macdonald (Edmonton East), Mott, Murray (Cariboo), Pouliot, Riley, Rooney, Stuart (Charlotte), Whiteside.

In attendance: Same as at the morning session.

The Committee resumed consideration of Bill No. 191, An Act to amend the Canada Shipping Act, 1934.

Mr. Lindsay, Captain Gillison and Messrs. Clarke and Wright were severally called, examined on their submissions on various Clauses of the said Bill, and retired.

The Hon. Mr. Chevrier, Minister of Transport, made a short statement in reply to the submissions made by the witnesses to the Committee. He suggested that the witnesses and the officers of his Department hold a conference and bring before the Committee, at its next sitting, such recommendations or suggested amendments they may agree upon.

At 5.50 o'clock p.m. the Committee adjourned to meet again at 11.00 o'clock a.m., Tuesday, March 31, 1953.

R. J. GRATRUX,
Clerk of the Committee.

TUESDAY, March 31, 1953.

The Standing Committee on Railways, Canals and Telegraph Lines met at 11.00 o'clock this day. Mr. McCulloch, Chairman, presided.

Members present: Messrs. Bonnier, Browne (*St. John's West*), Carroll, Carter, Cavers, Chevrier, Darroch, Gibson, Green, Hodgson, James, Lafontaine, Low, Macdonald (*Edmonton East*), McIvor, Riley, Stuart (*Charlotte*), Whiteside, Whitman.

In attendance: Messrs. W. J. Matthews, Director, Administration and Legal Services; A. Cumyn, Principal Inspector of Machinery; W. A. Caton, Chief Inspector of Radio and Captain J. W. Kerr, Supervisor of Nautical Services, all of the Department of Transport; Mr. J. I. Bird, of Vancouver, Counsel for the British Columbia Towboat Owners Association and The British Columbia Coastwise Operators Association; Mr. J. A. Lindsay, of Vancouver, Chairman of the British Columbia Towboat Owners Association Special Committee; Captain J. M. Gillison, of Vancouver, Chairman of British Columbia Coastwise Operators Association Special Committee; Mr. S. S. Clarke, of Montreal, General Manager of Clarke Steamship Company Limited of Montreal; Mr. Peter Wright, of Toronto, Counsel for the Dominion Marine Association, and Mr. George Donavan, of Toronto, Secretary, The Dominion Marine Association.

The Committee resumed consideration of Bill No. 191 (Letter D-7 of the Senate), intituled: "An Act to amend the Canada Shipping Act, 1934".

The Hon. Mr. Chevrier, Minister of Transport, made a short statement on the meeting of the officials of his Department and those making representations to the Committee on certain sections of the Bill, at which certain proposed amendments were agreed upon.

Clause 1 was called:

Mr. Matthews, on the recommendation of the Department of Justice, placed the following amendment before the Committee for its consideration:

That clause 1 be amended by deleting the words "all of whom" in the second line of subclause (2) and inserting therefor the word *who*.

After discussion, and the question having been put, the said amendment was adopted.

Clause 1, as amended, was considered and adopted.

On clause 2:

Mr. Chevrier moved:

That clause 2 be amended by deleting subsection (3) of subclause (1) and inserting therefor the following:

'(3) Subsection two also applies to all other steamships of five thousand tons gross tonnage or upwards going on any voyage outside of a port not being an inland voyage.'

And that the said clause be further amended by deleting subsection (6) of subclause (2) and inserting therefor the following:

'(6) The Governor in Council may by regulation, to the extent and upon such terms and conditions as he may prescribe, provide that

- (a) a ship navigating on the Great Lakes or on the River St. Lawrence above the lower exit of the Lachine Canal and the Victoria Bridge at Montreal,
- (b) a cargo ship of five hundred tons gross tonnage or upwards but not exceeding five thousand tons gross tonnage going on any voyage outside of a port, and
- (c) a ship under five hundred tons gross tonnage engaged in towing another vessel of five hundred tons gross tonnage or over or engaged in towing any other floating object having a dimension in any direction of one hundred and fifty feet or more shall be fitted with a radiotelephone installation.'

After discussion, and the question having been put, the said amendment was adopted.

Clause 2, as amended, was considered and adopted.

Mr. Matthews then placed the following amendments before the committee for their consideration:

That the said Bill be further amended by inserting new clause 3 as follows:

3. (1) Section 411 of the said act is repealed and the following substituted therefor:

411. No person shall establish any radio station or install or operate or have in his possession any radio apparatus consisting of a reasonably complete and sufficient combination of distinct radio appliances intended for or capable of being used as a radio station on board any Canadian ship or any vessel licensed in Canada except under and in accordance with a licence granted in that behalf by the Minister under this Act or The Radio Act, 1938.

(2) Subsection (1) of section 412 of the said Act is repealed and the following substituted therefor:

412. (1) Any person who establishes a radio station or installs or operates or has in his possession any radio apparatus on any vessel in violation of the provisions of this Act or of any regulations made hereunder, is liable on summary conviction to a fine not exceeding fifty dollars, and on conviction under indictment to a fine not exceeding five hundred dollars and to imprisonment for a term not exceeding twelve months, and in either case is liable to forfeit to Her Majesty, any radio apparatus installed or operated without a licence.

And that the Bill be further amended by renumbering clauses 3, 4, 5, 6, and 7 as 4, 5, 6, 7, and 8, respectively.

Mr. Matthews made a statement in explanation of the new clause.

After discussion, and the question having been put, the said new clause 3 was adopted.

Clause 3, now clause 4, was considered and adopted.

On clause 4, now clause 5, Mr. Kerr was called, made a statement on the duties and appointments of Port Wardens, was questioned thereon and retired.

The said clause was considered and adopted.

Clause 5, now clause 6, was considered and adopted.

On clause 6, now clause 7;

Mr. Matthews, on the recommendation of the Department of Justice, placed the following amendment before the Committee for its consideration:

That clause 6, now clause 7, be amended by deleting the words "all of whom" in the second line of subclause (2) and inserting therefor the word *who*.

The amendment was considered and adopted.

The said clause, as amended, was considered and adopted.

On clause 7, now clause 8, the following amendments were placed before the Committee for consideration:

That clause 7, now clause 8, be amended by deleting subsection (7) of subclause (1) and inserting therefor the following:

(7) Subsection (6) also applies to all other steamships of five thousand tons gross tonnage or upwards going on any voyage outside of a port not being an inland voyage.

And that the said clause be further amended by deleting subsection (10) of subclause (2) and inserting therefor the following:

(10) The Governor in Council may by regulation, to the extent and upon such terms and conditions as he may prescribe, provide that

(a) a ship navigating on the Great Lakes or on the River St. Lawrence above the lower exit of the Lachine Canal and the Victoria Bridge at Montreal,

(b) a cargo ship of five hundred tons gross tonnage or upwards but not exceeding five thousand tons gross tonnage going on any voyage outside of a port, and

(c) a ship under five hundred tons gross tonnage engaged in towing another vessel of five hundred tons gross tonnage or over or engaged in towing any other floating object having a dimension in any direction of one hundred and fifty or more

shall be fitted with a radiotelephone installation.

The said amendments were considered and adopted.

Mr. Matthews then placed before the Committee the following new clause 9 for consideration.

9. (1) Section 416 of the said Act is repealed and the following substituted therefor:

416. No person shall establish any radio station or install or operate or have in his possession any radio apparatus consisting of a reasonably complete and sufficient combination of distinct radio appliances intended for or capable of being used as a radio station

on board any Canadian ship or any vessel licensed in Canada except under and in accordance with a licence granted in that behalf by the Minister under this Act or The Radio Act.

(2) Subsection (1) of Section 417 of the said Act is repealed and the following substituted therefor:

417. (1) Any person who establishes a radio station or installs or operates or has in his possession any radio apparatus on any vessel in violation of the provisions of this Act or of any regulations made hereunder, is liable on summary conviction to a fine not exceeding fifty dollars, and on conviction under indictment to a fine not exceeding five hundred dollars and to imprisonment for a term not exceeding twelve months, and in either case is liable to forfeit to Her Majesty, any radio apparatus installed or operated without a licence.

And that the said Bill be further amended by renumbering clauses 8 to 12 as 10 to 14, respectively."

After consideration the said amendments were adopted.

A new clause 15, as follows, was then submitted for the consideration of the Committee:

15. Section 3 of this Act shall be deemed to have come into force on the 31st day of March, 1953.

The said new clause was considered and adopted.

The Title was considered and adopted.

The Bill, as amended, was considered and adopted, and the Chairman ordered to report the said Bill to the House with amendments.

At 12.15 o'clock p.m. the Committee adjourned to meet again at the call of the Chair.

R. J. GRATRUX,
Clerk of the Committee.

EVIDENCE

MARCH 30, 1953.

The CHAIRMAN: Gentlemen, we have a quorum. It is customary to have a printing of the evidence. Will somebody move that we have 750 English and 250 copies in French?

Mr. WHITESIDE: I will move that.

Mr. RILEY: I will second that.

The CHAIRMAN: Carried.

Is it the wish of the Committee that I call Mr. Matthews to explain the Bill before the Committee?

Agreed.

Mr. W. J. Matthews, Director of Legal Services, Department of Transport, called:

The WITNESS: Mr. Chairman, gentlemen, I appreciate this opportunity of coming before the committee to explain this bill. My name is W. J. Matthews, Director of Legal Services of the Department of Transport.

A bill to amend the Canada Shipping Act usually contains miscellaneous amendments and this is no exception. There are two important amendments to the Act which I should like to explain. The first is found in clause 1 which is an amendment to section 114 of the Canada Shipping Act. This clause 1 deals with the requirements for engineers of steam driven ships and motor driven ships. The position of the Act at the present time is that under section 114, steamships includes both steam driven ships and internal combustion engine driven ships or motor ships, and it is proposed to require a higher grade of certificate for an engineer acting in a motor driven ship than for a steam driven ship, and the reason for that is this, that under the Act as it now stands the requirement is based on what is called nominal horsepower, which is estimated from the size of the engine.

The nominal horsepower on the steam driven ship is the same as the nominal horsepower on the motor driven ship, but in the actual working out the horsepower developed by an internal combustion engine is much greater than the horsepower developed by a steam driven engine, and also, in addition to being an engine which develops higher power, the motor driven engine is of greater complexity, and so it is proposed to amend this section, and require a higher grade of certificate for an engineer on a motor driven ship.

Provision is made in the amendment so that certificates which are now issued will retain their validity. In other words, an engineer of a motor driven ship who now has a certificate will be entitled to act as an engineer on that ship or any other ship of the same or corresponding power. That is the first amendment.

The second important amendment is found in clause 2 of the bill. This deals with radiotelegraph, radiotelephone and radio operators. The department has approached this problem from two points of view. First of all there is the safety of life. We consider nothing more important than the safety of life. Second is the safety of the navigation.

You will recall that under the International Safety convention, which this committee knows about because we went through this in 1950, all passenger ships engaged on international voyages are required to be fitted with a radio telegraph installation, and to carry watch keeping operators. It is proposed to extend this requirement to coastal passenger steamships over 65 feet in length, so that they will all be required to carry radio telegraph installations and radio operators unless exempted by Governor in Council. Provision is made for exemption because it is recognized that in certain protected and sheltered waters where radiotelephone coverage is sufficient it may not be necessary to require these ships to carry radiotelegraph equipment.

Recognition must be given to the great advance made in radiotelephone in recent years and the department considers that where the radiotelephone coverage is sufficient for safety purposes it should not be necessary to require ships to carry radiotelegraph installation.

With respect to cargo vessels—

By Mr. Carroll:

Q. They may make provision?—A. They are required to make provision for radiotelegraph unless exempted.

Q. They may be exempted by regulation?—A. Yes, they may be exempted by regulation of the Governor in Council.

The WITNESS: Now, with respect to cargo vessels, the situation there is somewhat different, because the safety angle, although important, is not as important as in the case of passenger ships. It is proposed under this amendment to extend the regulation to carry radiotelegraph to cargo ships over 500 tons, and to tow boats which are towing vessels over 500 tons or any moving object which is 150 feet in length or more. At the present time, as the law now stands, cargo ships over 500 tons going on a voyage over 200 miles are required to carry radiotelegraph installation.

Although this amendment provides for applying the requirements regarding radiotelegraph installation to cargo ships over 500 tons, the Department proposes to seek authority for the exemption of ships up to 5,000 tons going on voyages where it is considered that the radiotelephone coverage is sufficient. I may say—

By Mr. Browne:

Q. Who is the department going to ask for permission? Is it the international committee or something?—A. I beg your pardon Mr. Browne?

Q. The department proposes to ask for authority to have telephones up to 5,000 tons in certain voyages.—A. The authority is the authority of the Governor in Council.

The WITNESS: I may say that this provision requiring radiotelegraph installation is not to be applied to the Great Lakes. The Great Lakes are covered by separate agreement which the House ratified last session known as the Great Lakes Agreement with the United States for radiotelephone. Then there is provision that the conditions of operation of the radio installation on board any vessel shall comply with the radio regulations annexed to the International Telecommunication convention in force. That is the international requirement having to do with radio wave lengths and watch keeping services.

As I said, under this amendment on page 4, paragraph 6 at the top, provision is made for implementing the radio agreement which was made between Canada and the United States covering radiotelephone on the Great Lakes, so that any ship navigating the Great Lakes, any passenger ship over 65 feet in length and any cargo ships over 500 gross tons navigating the Great Lakes above Montreal will be required to be fitted with a radiotelephone installation.

I think that is all there is to that amendment.

With respect to the other amendment in the bill, the next one has to do with tow barges. Down in Newfoundland, or near there, there was a casualty in which a tow barge being towed was sunk, and the crew drowned, and a recommendation was made which produced this amendment which is clause number 3 in the bill. It calls for an inspection of all tow barges which do not carry passengers, but carry a crew, with respect to life saving equipment, fire extinguishing equipment and precautions against fire.

I may say that tow barges which carry passengers are subject to inspection, but tow barges which only carry a crew under the present law are not subject to inspection so it is proposed to make them subject to inspection with regard to life saving equipment.

Under clause 4 of the bill which has to do with appointment of port wardens provision is made for the appointment of port wardens, deputy port wardens and clerks under the provisions of the Civil Service Act. Under the Canada Shipping Act as it now stands these officers are appointed by the Governor in Council, and the port warden's office is remunerated by fees of office, a situation which we consider to be somewhat obsolete, and provision is made here that the Governor in Council may provide for the appointment of these officers under the Civil Service Act, so when vacancies occur this amendment will come into play.

The next clause, clause 5, deals with the application of the Act to Newfoundland. The provisions of the Canada Shipping Act with the exception of these two sections, 21 and part 6, have already been proclaimed to be in force in Newfoundland. There was an exception for these two provisions, section 21 which has to do with the security which is given on the first registration of the ship, and part 6 which has to do with pilotage. They were excepted and the Justice Department tells us that in order to make provision for proclamation of these parts of the Act, it is necessary to do so in the Act.

Part 2 of the bill has to do with the revised statutes and is only a repetition of what goes before, and part 3 of the Act has to do with the coming into force of the international convention for the safety of life at sea.

Mr. Low: What page is that?

The WITNESS: Page 8.

This convention came into force last year, and amendments which were passed in 1950 came into force on December 31, 1952. We now require this amendment in order to cover ships which belong to countries which are not parties to the new convention until November 19 next. All that is for is to cover the transitional period. After that date all the ships which go on international voyages and which come into Canadian ports will be required to produce a certificate under the International Safety convention.

I think that is all I have to say at the present time Mr. Chairman.

By Mr. Gibson:

Q. I understand the Senate has given this bill some study. Can you tell me how long you were on the witness stand there?—A. I cannot recall Mr. Gibson.

Q. Was it half an hour or one hour?—A. Something like that. I think the committee lasted an hour and a half.

By Mr. Herridge:

Q. I would like to ask the witness a question. He stated that the horse power generated by an internal combustion engine was greater than the power generated by a steam engine.—A. Of the same size.

Q. Yes. I was rather amazed to hear that, because I thought we developed more power from a steam engine.—A. That is a very technical question and we

have Mr. Cumyn of the steamship inspection branch of the department with us. If you wish to pursue the question I think perhaps you had better ask him.

Mr. HERRIDGE: I would like to have an answer.

The CHAIRMAN: Have Mr. Cumyn come up.

Mr. A. Cumyn, Principal Inspector of Machinery for the Steamship Inspection Branch of the Department of Transport, called:

The WITNESS: The nominal horsepower is based on the total cylinder area of an engine, that is the area of each cylinder multiplied by the number of cylinders. The horsepower developed by the internal combustion engine is approximately, rather an average, of about five times as great in relation to the total cylinder area of an engine as is the horsepower developed by the compound steam engine. Now, the limitations that were set out in this section when it was first written were based on the developed horsepower of the compound steam engine. Since that time, of course, internal combustion engines have been fitted to ships and, therefore, under the present wording of the section an engineer holding a motor certificate is entitled to act in charge of an engine, that is a motor engine, having too great a capacity. Therefore we felt that it would be better to reduce the nominal horsepower in the case of motor driven ships.

Mr. CARTER: What is the relationship between the 110 and the 45? You take 110 for a steam engine and 45 for an internal combustion engine. Do these two figures have any significance?

The WITNESS: I may say that one nominal horsepower in the case of a compound steam engine is equivalent to approximately 10 brake horsepower, whereas one nominal horsepower in the case of a motor driven engine is equivalent to about 50 brake horsepower. You must bear in mind that the brake horsepower is a variable quantity. It varies with the revolutions and it may vary with the pressure being used in the cylinder. Therefore that figure 1 to 50 is an average.

By Mr. Gibson:

Q. Mr. Chairman, is not the nominal horsepower the variable? Brake horsepower is specific. Nominal horsepower does not mean anything. Why don't we go back to something specific, which is brake horsepower?—A. We cannot use brake horsepower for the purpose of the Act because it is dependent on revolutions and cylinder pressure which may vary in the case of an engine. It is a variable factor and can be varied at will.

Q. But there must be a maximum horsepower that you can obtain from an engine. I know that nominal horsepower does not mean anything. That is a rule of thumb from the days when it was one for 10, but with internal combustion engines now—of course you know all these things better than I do—I am under the impression that nominal horsepower means nothing at all.—A. It does mean something, sir.

Q. But brake horsepower does.—A. It has an approximate value, but nominal horsepower has a definite value, and you must have something that has a definite value for use in the Act.

Q. But why is brake horsepower not a definite value?

Mr. HODGSON: What difference does it make whether you have steam or internal combustion engines? Would it be on account of the weight of the boiler and so on?

The WITNESS: No, sir, when you have an internal combustion engine you are getting a bigger horsepower, and that means your ship can go on more extensive voyages or you can install the engine on larger ships.

Mr. HERRIDGE: I am thinking of engines of 15 nominal horsepower operating on the lakes. I can have a small tug of my own with a 150 horsepower diesel in it and it won't even require a man. It seems strange to me to require a higher certificate for someone operating an internal combustion engine. Mr. Gibson has a point there.

The WITNESS: The aim, sir, is to provide an equal grade of certificate for an equal brake horsepower.

By Mr. Gibson:

Q. Well, then, why don't we use brake horsepower?—A. Because it is variable and not suitable for the purposes of the Act. This section of the Act carries penalties. We must have a non variable measurement. It would be possible for the owner by reducing the revolutions of his engine or by reducing the pressure to bring his engine below one of the limits contained in the Act if Brake Home Power were used.

Q. That would be in the case of steam, not in the operation of diesels?—A. It would be possible in the case of an internal combustion engine, to, simply by lowering the revolutions—

Q. Setting the governor?—A. Yes.

By Mr. Carter:

Q. Does that infer that a 45 horsepower internal combustion engine is equivalent to a 110 horsepower steam engine?—A. That infers, sir, that on the average an internal combustion engine having a nominal horsepower of 45 will develop approximately the same brake horsepower as a compound steam engine having a nominal horsepower of 100.

Q. You are using brake horsepower as your standard for comparison?—A. Yes, sir,—this is simply a re-definition of the nominal horsepower in the case of motor ships.

Mr. HODGSON: I would disagree with that. I am not an engineer, but I have run sawmills and steam engines, and the same horsepower in steam will deliver you more brake horsepower than your internal combustion engine.

Mr. WHITESIDE: He is going into piston displacement and that sort of thing.

The CHAIRMAN: Are there any other questions you would like to ask Mr. Cumyn?

Mr. APPLEWHWHITE: I don't want to interrupt, Mr. Chairman, but if there are no more questions, I would like to ask Mr. Matthews some questions.

By Mr. Browne:

Q. I would like to ask the witness one or two questions, because I cannot follow the answers given to questions asked by members here. Is an internal combustion engine easier to operate than a steam engine? The internal combustion engine is, after all, one we are all familiar with; it is the one used in the motor car.—A. Internal combustion engines are very complicated and require, particularly in the core of modern engines, highly skilled engineers to maintain.

Q. Are they not the type that are used in small boats, pleasure boats, and so on?—A. Yes, sir.

Q. You have provision, I think, here for an engineer for a very small boat, have you not?—A. The lowest nominal horsepower for a cargo vessel is 10 nominal horsepower, which would mean an engine upwards of 500 brake horsepower.

Q. That would be a small boat and you would require a specially trained engineer for that?—A. We would require a third class engineer.

Q. Is that the equivalent of a fireman in steam driven vessels?—A. No the duties are not the same. The engineer would be in charge of the engine. I may add the examination and qualification required for a third class engineer are very elementary.

Q. Are they the same in an internal combustion engine driven vessel as for the steam driven vessel?—A. Yes, sir, about the same grade, except of course that they deal with qualifications for the steam certificate in the case of a steamship.

Q. In a steam driven vessel a fireman is practically the same as a third class engineer?—A. A fireman can qualify for a third class certificate.

By Mr. Hodgson:

Q. I agree with you on the steam end of it, and as far as engineers are concerned I think anyone can run a steam engine if they have any knowledge of it at all. The whole thing is in controlling your steam and your boiler, and if your engine is running smoothly it will run for months without any adjustment whatsoever, so long as the engineer can set the valves and take a knock out of the engine. That is about all the knowledge he needs to have. I can understand when you get into a larger sized internal combustion engine you need a lot more knowledge than the fellow who runs a steam engine, but I would think that there is a bit of a difference. In the case of the steam engine you have a great weight of coal to pile on your boat, and also the weight of your boiler. As far as the engine is concerned, the difference in weight of a boat would probably not be so much, but I would think the internal combustion engine would be greater than that.—A. There is no question about that.

Q. What have you got to say about that?—A. There is no question, sir, that the diesel engine requires less space and has less weight than the steam engine, but what we are considering here is the capacity or the ability of the engineer to operate diesel engines.

Q. If I was running a boat, I would want more knowledge from a fellow running a diesel than another one running steam.

By Mr. Gibson:

Q. How do you get the nominal horsepower of a steam turbine?—A. We take the horsepower which would be developed at the shaft, as compared to the same horsepower of a steam compound engine.

Q. You mean you use brake horsepower?—A. Yes, sir.

Q. What I cannot understand about this is: You know we are trying to clean up the Act, trying to improve it, and so why do we go back to this archaic system of using a variable nominal horsepower instead of the definite brake horsepower, which we must inevitably use? It is the power delivered to the propeller shaft that really counts.—A. Yes, sir.

Q. Then why we continue with this nominal horsepower, I do not know.—A. Because it is non-variable: I may say that in the case of internal combustion engines in racing cars they use as a standard, litres, which again is the measure of the size of an engine. It is simply not possible to use brake horsepower.

Q. And yet you can put a calibrator on any ship and find the brake horsepower?—A. It would not be practical to do that on small ships.

Mr. HODGSON: Does this bill cover pleasure craft? What I mean to say is, would a fellow running a 20 horsepower outboard motor have to have some sort of certificate?

The WITNESS: No, sir.

Hon. Mr. CHEVRIER: We cleared that up at the last sitting of this committee in 1950.

By Mr. Gibson:

Q. What would be the nominal horsepower of a 20 horsepower outboard motor?—A. I imagine it would be something of the nature of less than one nominal horsepower.

Q. I always understood it was one to 10, but maybe when we get into outboard motors it is one to 20. Yet I thought I heard you mention a moment ago that the ratio was one to 50.—A. An outboard motor runs at a high speed and the cylinders are very small.

Q. But we are trying to figure out the nominal horsepower on the size of the cylinders?—A. It is not possible to give a relation between brake horsepower and nominal horsepower in that case.

Q. But the brake horsepower is something specific and nominal horsepower means nothing. I am not trying to badger you, do not think that. I am trying to make a contribution perhaps to clear up something that has been a headache for a long time. It must have been more of a headache to you than it is to me.

By Mr. Carter:

Q. Do you make any distinction in those certificates between the operator of a gas engine and the operator of a diesel engine, or the operator of a two cycle engine or a four cycle engine?—A. No, sir, but, as you know, gasoline engines are not used in large powers to propel ships. The lowest nominal horsepower requiring a certificate is 10 in the case of a cargo ship, and that would be in the nature of 500 brake horsepower, and gasoline engines of 500 horsepower are not used to propel ships. Gasoline engines of lower powers are used to propel some passenger boats.

Q. Would you answer this. If a boat had two 25's, double engines of 25 horsepower each in it—A. A total of 50 brake horsepower.

Q. Yes.—A. In the case of a cargo boat that would not require a certificated engineer; in the case of a passenger boat it would require a certificated engineer.

Q. So the way to get around these regulations is to put in two small engines.—A. No, sir, we use the total here.

The CHAIRMAN: Mr. Matthews, will you answer Mr. Applewhaite's question.

Mr. APPLEWHAITE: In this draft bill, clause 1, subparagraph (c), foreign-going ships, solely employed in fishing—does that apply to fishing vessels clearing for deep sea, even if they are not going to a foreign port?

Mr. MATTHEWS: If they go a certain distance from the land, it would.

Mr. APPLEWHAITE: That would be if they were clearing for deep sea. The voyage is just for deep sea and return.

Mr. MATTHEWS: That is right.

Mr. APPLEWHAITE: What is the result of this amendment (c) as against the current practice for such fishing boats?

Mr. MATTHEWS: Well, I should not think it would make much difference because the Act as it now stands requires that a steamship employed in fishing which clears on foreign voyages has to have a certificated engineer. This calls for a higher grade of certificate in the case of diesel powered ships.

Mr. APPLEWHAITE: Does that call for a higher grade certificate even in the case of a diesel powered ship of 10 nominal horsepower?

Mr. MATTHEWS: May I have that question again?

By Mr. Applewhaite:

Q. Does that call for a higher rated certificate even in the case of a ship with only 10 nominal horsepower?—A. The lower limit is ten nominal horse-

power, sir. In the case of a fishing vessel that is not being altered. That is the lower limit. It is the higher limit that is being altered. In the case of a foreign going fishing vessel, the higher limit for the third class engineer is 25 nominal horsepower, and it would range between 1,000 and 1,500 brake horsepower.

Q. Is it really the case that the only difference is that you require a higher grade certificate where the power is over 25 nominal horsepower?—A. Yes sir.

Q. And that is the only difference. Do classes F and G of the same section apply to fishing vessels?—A. Yes sir.

Q. Can you tell us what is the resultant difference in requiring a permit under F and G as against the present practice?—A. In the case of F, the nominal horsepower limit is 25 nominal horsepower for a third class engineer. That is to say, if the engine is over 25 nominal horsepower, you require a second class engineer. And if it is under 25, you require a third class engineer. I am speaking of internal combustion engines.

Q. But the present practice is what?—A. The present practice is 75 nominal horsepower.

Q. Before you require a 2nd class engineer.—A. Yes.

Q. What is the difference in the case of G?—A. In the case of G, if the engine is under 25 nominal horsepower, you require a third class engineer, that is if the engine is between 25 and 10, you require a third class engineer in the case of a motor ship.

Q. Under the new Act?—A. Yes sir.

Q. What is it at present?—A. At present, it is between 75 and 10 nominal horse power.

Q. At the present time you are requiring an engineer in ships between 10 and 25 where you did not require one at all?—A. We require a third class certificate, that is, at present a third class engineer can take charge of an engine which is between 10 and 75 nominal horsepower. Now his range is to be cut down from 10 to 25 nominal horsepower.

Q. But you did require a third class from 10 to 25?—A. Yes, sir.

Q. So with the difference you are making, it will follow that you will require an engineer with a higher class of certificate in the case of an engine which has higher horsepower?—A. Yes, sir.

Q. Have the halibut vessel owners or any fishermen's organization on the Pacific coast, that is, the people who are going to be concerned with this, been given an opportunity, or have they requested an opportunity to express any views?—A. A year ago we sent this proposed change to our representative in Vancouver and he discussed it with the fishing industry, with the tug boat owners, and with other shipping interests in that area.

Q. To tell you frankly, I have not heard a word from them. Do you know whether the Halibut Vessel Owners Association has been affected?—A. I could not say specifically with respect to the halibut fishing people, but we discussed it with a representative of the Fisheries Council of Canada.

Q. Have you received any protest or objection from other bodies?—A. No sir.

Q. Has time been given for them to make a protest if they wanted to do so?—A. We sent it to our representative in Vancouver approximately a year ago and he reported that he discussed it with the various interests, and that they appeared to have no objection.

Q. In connection with paragraph 2, in so far as it refers to tugs with tow, I take it that the application of the Act is dependent entirely on the physical measurement of the tow, and that it has nothing to do with the horsepower? Is that right?

Mr. MATTHEWS: That would be so.

By Mr. Applewhaite:

Q. You stated that under certain circumstances it would follow that in sheltered waters, close-in waters, I think those are the words you used, that sheltered passenger ships would be adequately protected by efficient radio-telephone communication.—A. Yes.

Q. In the same waters, would not the same argument apply to tug boats?—A. Oh yes, and with even more force.

Q. In the opinion of the department, is the radio telephone efficient for use in sheltered waters operation, such as offshore coastal work on the Pacific coast, and excluding Hecate Straits for the sake of argument?—A. A survey was made by two officers of the department on the Pacific coast and they found that radio telephone coverage was adequate between Vancouver island and the mainland.

Q. You have made reference, I think, in connection with the last sub-clause to the requirement of the International Telecommunication Convention. Do the requirements of the International Convention apply to these international voyages?—A. That is, with respect to radio?

Q. Yes?—A. Oh, yes.

Q. Our own coastal shipping plying solely between Canadian ports would still be subject to the requirements of an international Act?—A. Yes, that would be so.

Q. Does the International Convention permit the use of radio telephone and not radio telegraph in the waters we have been discussing?—A. I do not think that the International Telecommunication Convention has any bearing on it. It must be The Safety Of Life At Sea Convention to which you refer.

Q. Because you give them an exemption from the telegraph, can you permit them to use a telephone and still be within the terms of your international obligations?—A. The Safety of Life at Sea Convention permits the use of radio telephones in sea going vessels from 500 to 1600 tons. Is that correct, Mr. Caton?

Q. And it would also apply in this case?—A. Yes.

By Mr. Stuart:

Q. What advantage would radio telegraph have over radio telephone?—A. I would like to have a radio expert answer that question, if the chairman would permit. I suggest Mr. Caton.

Q. I do not know anything about the Pacific coast, but in connection with the Atlantic coast, most of the boats there are equipped with radio telephones. I would think there would be a much better chance of receiving a message by radio telephone than by radio telegraph, because while any person can operate a radio telephone, it takes a radio telegraph operator to operate a radio telegraph. Therefore I should think the radio telephone would be much more helpful than a radio telegraph.

Hon. Mr. CHEVRIER: This witness can answer that question, I think.

Mr. W. A. CATON: My name is W. A. Caton and I am the Chief Inspector of Radio, Department of Transport. Your question has to do with the efficiency of the radio telegraph as compared with the radio telephone.

Mr. STUART: Yes. As to its suitability under normal conditions, would it not be better? Let me put it this way: where you find one boat equipped with a radio telegraph, you would find 50 boats equipped with radio telephones.

Mr. CATON: That is correct, on the coastal waters, and the side waters of British Columbia and the Great Lakes.

Mr. STUART: What advantage is there in the use of radio telegraph over radio telephone?

Mr. CATON: The radio telegraph is a longer range means of communication. The radio telegraph signal is easier to read over greater distances. On the other hand, the radio telephone signal is capable of transmitting more intelligence in a shorter length of time; and if the captain of a vessel can speak over a radio telephone to the captain of another vessel, we believe he is in a position to convey more intelligence faster, and I would think it offered a better advantage.

Mr. HERRIDGE: I am referring to minor waters now, in districts where there are a number of small tugs of let us say five tons up, with diesel engines of from 75 to 150 horsepower. What certificate is required now for the operation of those boats, that is, what engineer certificates, and what effect will this Act have on the operation of those boats?

Hon. Mr. CHEVRIER: None whatever.

The WITNESS: The proposed amendment does not affect boats under 10 nominal horsepower if they are not passenger boats.

Mr. HERRIDGE: But our boats with the 550 horsepower diesels are tow boats.

The WITNESS: Those boats will not be affected, sir.

Mr. HERRIDGE: Thank you.

By Mr. Browne:

Q. What is the reason for bringing in these changes? Has there been any trouble under the old law?—A. The limitation, as I just said, is placed on nominal horsepower. Diesel engines are being turned out by manufacturers which develop more and more brake horsepower in relation to nominal horsepower. Therefore the Board of Steamship Inspectors feels that the present grade of certificate allows a man too much scope, shall I say. He is now able to take charge of an engine having too great a brake horsepower.

Q. Can you give me an illustration of that? Have you had accidents?—A. We have had no accidents.

Q. Have you had any complaints from anywhere about it, or is it just a theory of the Board of Steamship Inspectors?—A. The Board of Steamship Inspectors is composed of men who have been sea going engineers. And even in my own sea going days we considered that this thing was wrong because it enabled a man with a low grade certificate to take charge of too large an engine.

Q. Is there any reason? Have they caused damage? Have you seen it happen that damage has been caused?—A. I have seen engines being operated by men not properly qualified.

Q. Yet this Act provides that the people who have certificates shall continue to operate them.—A. Yes, sir.

Q. Why do you do that, if it is dangerous?—A. We do not want to cause any difficulties by tying up ships. You see, these things have got to be done gradually.

Mr. HODGSON: Is this thing not going to place the companies in a hazardous position in trying to obtain men with the proper certificates?

The WITNESS: No sir. One of the cushioning effects would be the fact that the present rights of certificate holders would be maintained. Another cushioning effect is that we do not tie up ships when a higher certificate engineer is not available, we issue a permit.

By Mr. Riley:

Q. What about the availability of certified engineers?—A. We have recently revised our engineers regulations which will make it possible for more men to qualify for the motor certificates.

Q. Has the department in anticipation of this change of regulations done anything to encourage engineers to obtain higher certification?—A. We are setting up schools for engineers.

Q. Are you getting much response?—A. Yes sir.

Q. Do you consider they are getting a sufficient number of certified engineers available for the operators with this change put into effect?—A. Yes, sir, because we have this clause retaining the rights of present holders of certificates. Therefore, the ships which are going to be affected will be able to carry on with their present engineers, or with the men who have obtained their certificates before the coming into force of this amendment.

Q. And in the event that an operator is not able to procure the services of an engineer with proper certification, an extension can be granted by the department.—A. Yes sir.

Q. That is the policy of the department?—A. Yes sir.

Q. And in the event that an operator is not able to procure the services of an engineer with proper certification, a permit can be granted?—A. Yes, sir.

Q. By the department?—A. Yes.

Q. That is the policy of the department?—A. Yes.

By Mr. Herridge:

Q. I overlooked asking a question before. I forgot to mention that some of these tugs tow booms that are 4, 5 and 6 hundred feet long. And I am wondering if these men in small boats from five tons up who have installed diesel engines from 75 to 150 horsepower—I see a reference in the Act to "floating object having a dimension in any direction of 150 feet"—and these small tugs sometimes tow booms 5 and 6 hundred feet long. Will it affect them under those circumstances?

Mr. MATTHEWS: I would not think so. The reference to 150 feet or more has only to do with radio.

By Mr. Stuart:

Q. In connection with the engineer's certificate, in order to obtain a certificate to run an internal combustion engine which needs a lot more moving parts and is much more complicated than steam, is it not a fact that an engineer should be qualified to make minor repairs?—A. Yes, sir.

Q. In other words, you take a boat plying even in the Bay of Fundy, if you do not have an engineer familiar with his engine, a small minor detail could tie the ship up for some time. I believe that has not been brought up. A man should have quite a bit of experience and knowledge of diesel engines before he is really qualified to take over. I think that is one point that has not been made, that there is quite a difference in diesel and steam to keep it in operation.—A. You would have to have a knowledge of diesels.

By Mr. Gibson:

Q. How are we going to know whether an engineer is required or not?—A. A local steamship inspector has that information.

Q. There has been quite a lot said about a man needing to have more knowledge with reference to a diesel engine than a steam engine and I do not think that is perhaps true on a complicated steam vessel as Mr. Cummings knows. The point I was going to make has slipped my mind now.

Would the witness say that a diesel engine is more complicated and more difficult to operate than a gas engine of comparable horsepower?—A. I would say so because there are larger pressures and larger temperatures involved.

Q. I would like to go back to the point Mr. Stuart made. I do not know what the whole act says, but there is not much point in having a competent engineer no matter how competent he is unless he is able to make certain

repairs at sea and to do that there must be certain equipment on the ships. Now, are there any regulations requiring minimum equipment for repairs and maintenance of this type of engine?—A. No regulations, sir, but the steamship inspector in the course of his inspection and before he issues a certificate satisfies himself that the proper list of repair parts is carried.

Q. As far as the third class steam engineers are concerned do they necessarily walk aboard without any further examination by your department and take over a diesel engine?—A. No sir. We have provisions for examining steam engineers in the operation of a diesel engine and issuing a certificate.

Q. There are two different certificates for steam and diesel?—A. Yes, sir.

By Mr. Browne:

Q. What are the qualifications for a fourth class engineer?—A. He is purely a watch-keeping engineer. He is not entitled to take charge of a ship. He is entitled to take charge of a watch and he is examined in the duties of a watch-keeping engineer.

Q. There may be men who are second class engineers working as fourth class engineers?—A. Yes, sir.

By Mr. Stuart:

Q. One more question I would like to ask. Where would the line be drawn as to compulsory radio operators full time? I ask that question for this reason. In many boats with which I am familiar the radio equipment is usually in the pilot house where the skipper and others are and it is usually turned on so they can hear it and it seems to me to be an additional expense for smaller operators to be compelled to have a full time operator who can do nothing else. I am interested in where that line is drawn where you must have a full time radio and telegraph operator.

Mr. CATON: Full time radio-telegraph operators are required on radio-telegraph equipped ships but the word "full-time" does not necessarily mean he is on duty all the time. On the west coast there is a schedule of hours of watch-keeping of an aggregate of eight hours a day from morning to midnight. With respect to radio-telephone up to the present time we have not required certificated radio operators inasmuch as radio-telephony has not been compulsory equipment on Canadian ships. But, if this bill should pass, in conformity with the Great Lakes treaty we will establish a radio-telephone class of certificate, and at least one man aboard each ship must have that certificate. The examination will encompass the actual operation of the equipment, frequencies used, and minor repairs such as replacement of fuses.

Mr. STUART: And what sized ship would come under that regulation?

Mr. CATON: Passenger ships of over 65 feet in length and cargo ships of 500 gross tons.

Mr. STUART: Is any consideration given to inland waters?

Mr. CATON: They are included under the wording of the Act.

Mr. STUART: Does that mean a ship in inland waters with radio-telephone 165 feet long carrying 50 passengers would be compelled to have a fulltime radio-telephone operator if they have a radio-telephone?

Mr. CATON: The radio-telephone operator is not primarily a radio telephone operator as such. He may be the captain of the ship, or the mate or any member of the crew. He performs the radio-telephone function as part of his other duties, but in addition to that that particular man performs the functions of an officer on the bridge where the telephone will be required. The first school to train these radio-telephone operators was in Toronto this winter and I understand it was mostly the masters and mates who took the course and passed the examination.

Mr. STUART: Is there any compulsion as to the installation of radio-telegraph equipment of one type or would it be compulsory to have radio-telegraph equipment in place of radio-telephone?

Mr. CATON: In ships going on voyages where radio-telephone coverage is not considered adequate.

Mr. RILEY: Have the ship operators been advised in any way of this legislation? Have they been advised they may make representations before the committee in respect to any arguments they have to the contrary?

The CHAIRMAN: There are some here now.

Mr. RILEY: Generally have they been notified?

Mr. CATON: I believe copies of the bill went out.

Hon. Mr. CHEVRIER: There is in the Department a legislative committee which has to do with amendments to the Canada Shipping Act and to that committee come various groups of people representing operators, guilds and unions to make representations regarding these amendments and my understanding is some of these representations have already been made and I do know the public generally are aware of this bill.

Mr. HIGGINS: Do you know these ships plying between Nova Scotia and Port aux Basques and what communications they have?

Mr. CATON: Those ships have radio-telegraph. The ships that now ply between North Sydney and Port aux Basques today all have radio-telegraph.

Mr. HIGGINS: What operators do they have?

Mr. CATON: I think they carry one operator which is the minimum required under the regulations.

Mr. HIGGINS: Is not the operator the purser as well?

Mr. CATON: He may be.

Mr. HIGGINS: Is that permissible?

Mr. CATON: The amendment to the Act now brought before the House has a clause in it which says a radio-telegraph operator shall not perform any other duties that will interfere with his functions as a radio-telegraph operator.

Mr. GIBSON: Who is going to say that?

Mr. HIGGINS: Would you say the function of purser would interfere with the functions of a radio-telegraph operator on such a voyage?

Mr. CATON: I am not familiar enough with that voyage to answer that. I can envisage cases where it would interfere and also cases where the work would be light and it might not interfere.

Mr. HIGGINS: Do you have knowledge where this equipment is carried and the number of passengers?

Mr. CATON: Yes.

Mr. HIGGINS: Do you know it is away over 100?

Mr. CATON: Yes.

Mr. HIGGINS: Do you feel there should be a radio operator on that ship apart from the purser?

Mr. CATON: I would have to see an analysis of the work he did.

Mr. HIGGINS: You know the work of a purser?

Mr. CATON: Yes. It is not a full purser, assistant purser.

Mr. HIGGINS: There is no assistant purser?

Mr. CATON: Then that is the type of thing the amendment is designed to permit us to look into and correct.

Mr. HIGGINS: Do you think there should be a separate operator and purser on this ship?

Mr. CATON: I would think so.

Mr. HIGGINS: Would that be necessary if the radio-telegraph equipment was installed in the purser's office?

Mr. CATON: It is very difficult when doing a radio-telegraph operators' work to do anything else. He should have a pair of telephones on his head or a loud speaker not interrupted by other noises in the vicinity; therefore we prefer to see him in a proper radio-telegraph cabin with his equipment.

Mr. RILEY: Do I interpret subsection 3 of Section 2 to mean in the case of tow-boats ordinarily engaged in harbour work, that a tow within the provisions of subsection 3, say from St. John or Halifax to Portland or some other point at some distance outside the port, would have to have a telegraph operator standing by engaged on a full-time basis in order to cover them on occasional voyages like this?

Mr. CATON: No, sir. Our thought in presenting this legislation was that we would recommend tow-boats and cargo ships be permitted to use radio-telephone in coastal waters except where over 5,000 tons.

Mr. MOTT: You mentioned your were setting up a school to instruct captains or engineers or someone else on smaller boats in radio telephone. Take fishermen and trawlers on the west coast. Do you mean to say that after operating radiotelephones for the last 10 or 15 years they will have to go now and take a course and examination to find out if they are capable of handling it?

Mr. CATON: Let me say that we have had more complaints in the past over the misuse of telephony than we expected. Apparently many people using telephones in the past have used it for the purpose of idle conversation between ships, and the result has been a congestion of the radio-telephone channels. We hoped to overcome that by setting up special frequencies for ship to ship communication, and I am glad to say that I learned recently that the situation has greatly improved. However, with respect to radio-telephone for safety purposes there is one specific frequency recognized internationally, and chit chat and irrelevant conversations will be prohibited and are prohibited on that frequency.

Mr. MOTT: I am not asking you that. I am more concerned with the qualifications these skippers have to have. You mentioned something about starting a school, and that they must take examinations. Does that now mean that a skipper of a ship will also have extra money for taking extra qualifications for handling radiotelephone?

Mr. CATON: We do not think the scope of the telephone examination is such as to cause great and undue hardship for any skipper of a ship who knows how to use his equipment, and we think there is need of unanimity in the operation of the radiotelephone equipment if the greatest benefit is going to accrue from that equipment.

Mr. MOTT: Another thing is that you have a skipper and a couple of officers each of whom are on the bridge at different times, and that gives you someone listening at all times. If only the skipper is qualified to handle that, then what is going to happen if one of the other officers is on the bridge?

Mr. CATON: In my previous statement I said that at least one person on board ship would have a radiotelephone qualification certificate. Others obviously must listen and do listen, and the Great Lakes Treaty for example envisages just that.

Mr. MOTT: They would not be able to use the equipment.

Mr. CATON: Yes they could use it, but could not make repairs. There will be one person aboard who is responsible for that equipment, and to ensure

its correct operation. That only applies to compulsory fitted vessels. The special equipment will not apply to small vessels which would not come within the scope of the amendment which is 500 tons or over.

Mr. GIBSON: You said the radiotelegraph officer on ship. He maintains an 8 hour shift, or one-third the 24 hours, but with a radiotelephone they are practically on 24 hours a day, which is much more efficient for life saving both for themselves and others.

Mr. CATON: That is one of the strong points in favour of radiotelephony. We recommend that a compulsory watch be kept at all times the ship is under way outside port.

Mr. GIBSON: You mean in a case where there was a radiotelegraph operator?

Mr. CATON: No sir, telephone. At the moment there are devices under development which will permit continuous watch without the actual attendance of a person. They are known as auto alarm devices. In the past they have not been up to the standard they have now attained or that they will attain under this new international committee that is working on the development of suitable auto alarm devices for radiotelephony.

Mr. STUART: Does that mean that one man will be qualified to take care of any minor repairs and that the others can operate it without that knowledge?

Mr. CATON: That is correct, sir.

Mr. APPLEWHITTE: May I ask in connection with this automatic telephone alarm what the approximate cost for the installation will be.

Mr. CATON: I do not think they have arrived at that stage as yet. As I understand it, the governments of Great Britain, United States and France have developed equipment which is now being submitted to the International Technical Organization for consideration and evaluation, and out of their deliberation and probable subsequent developments will come what we hope will be a satisfactory automatic alarm.

Mr. APPLEWHITTE: Have you any idea of whether it will be an expensive installation?

Mr. CATON: I have no idea sir. I know that in some areas in Canada where radiotelephone is in use, commercial stations use automatic calling devices which can be installed on a ship and attract the master's attention and he will answer the telephone.

The CHAIRMAN: We have Mr. J. I. Bird, counsel for the British Columbia Towboat Owners Association and the British Columbia Coastwise Operators Association who will now address the committee.

Mr. J. I. Bird, Counsel for the British Columbia Towboat Owners Association and the British Columbia Coastwise Operators Association, called:

The WITNESS: Mr. Chairman, gentlemen, I am representing the two associations which the Chairman has told you of. These two associations represent over 90 per cent of the persons engaged in the towing industry on the Pacific coast. The Coastwise Operators Association is primarily made up of those interested in the freighting business, but they likewise do a large amount of towing. Now, this morning we are concerned with communications between ships at sea, and between those ships and shore and I wish to emphasize that distinction, ships at sea and between those ships and shore.

There are two methods of communication which have already been discussed. The old wireless telegraphic dot-dash method and the radiotelephone which is just like the telephone in your office. The modern radiotelephone as

it has been developed and in fact pioneered on the Pacific coast of Canada has been perfected and has reached such a high degree of efficiency that any person engaged in the commercial towing and the freighting and the passenger business would never think of sending his ship to sea without a radiotelephone. I can safely say there is no vessel engaged in this business which is not now equipped with a radiotelephone and of course that equipment was provided on entirely a voluntary basis.

This section in bill 191 which the association which I represent finds objectionable is subsection 3 of section 2 as explained by Mr. Matthews.

Mr. APPLEWHAITES: That is on page 3 of the bill.

The WITNESS: Yes.

It operates in two ways. First of all, any vessel towing another vessel of 500 gross tons or more, and that will include a dump scuttle which carries no crew, must carry a radiotelegraph. Any vessels towing any other vessel or object the dimentions of which exceed 150 feet in any direction must also carry a radiotelegraph operator.

As you are aware this part of the section is primarily directed at the Pacific coast, because only on the Pacific coast are logs towed in booms which are sometimes 600, 700 and even 800 feet in length. In addition, there is a very large barge haul which is conducted even as far north as Tagu River, so it is for that reason that the Pacific coast is very much disturbed by this legislation. The committee members have a brief before them prepared by the Towboat Owners Association and although perhaps it is somewhat lengthy, it was necessary to tell a story. In addition there is a summary which you will find on a separate page which summarizes the points we wish to urge at this time.

To determine whether radiotelegraph installations on vessels engaged in towing on the Pacific coast is a necessary and useful innovation, it is essential to ascertain the nature of the towing business, the peculiar characteristics of the routes which are travelled, and the manner in which the towing business operates. The conditions on the Pacific coast are, I submit, quite different from what they are on the Atlantic coast.

I have here a chart—this is the Pacific coast as indicated by the larger map, and these red lines indicate the routes which are travelled by these towing vessels. I wish particularly to draw to the attention of members of the committee the fact that in all cases right the way up to the Alaskan border, the vessels are, with the exception of the passage across the Queen Charlotte, never more than 10 miles from the shore. In most cases little more than a mile. In this rectangular area, there are about—

By Hon. Mr. Chevrier:

Q. What about between the coast and Vancouver Island? That is far more than 10 miles.—A. In between shore and shore, Mr. Minister. The routes travelled here between Vancouver and Hecate Straits is just 20 miles.

Q. Vancouver and Nanaimo, for instance, what distance is that?—A. The direct distance exceeds 20 miles but the routes followed by the towing vessels through this is little less than 20 miles and consequently at no time is the vessel more than 10 miles from there.

It is quite true that this passage across the Hecate Straits is about 30 miles in distance, so that there you would be more than 10 miles from the shore, but there is not a great deal there. Most of the barge hauling and log towing is confined to the inland waterways.

Q. What is the distance across Charlotte Strait?—A. (Demonstrating on map) down here it is very much wider, but up here it is about 30 miles. Now

in this area are concentrated about 2,200 vessels which are equipped with radiotelephone. They include 380 tugboats. Ninety per cent of those tugboats are at sea all the time. There are, in addition, about 1,800 fishing vessels. Those vessels are at sea in varying quantity. The density, of course, is very much greater during the fishing seasons.

Hon. Mr. CHEVRIER: Do you appear for the fishing vessel operators as well?

The WITNESS: Oh, no, Mr. Minister. I mention that merely to indicate the number of ships equipped with radiotelephone which are available for communication in distress circumstances. Apart from the fishing vessels we have, I think it is, 89 coasting and passenger vessels, all of which are equipped with radiotelephone, and I have not included in the 2,200 figure the federal government vessels such as fishery patrol, public works and R.C.M.P. on the federal side. Provincially we have the forestry patrol, the public works vessels and others, and all of these vessels are equipped with radiotelephone, and very, very few—I have not the figures—are equipped with radiotelegraph. So that in this area we have that density of vessels, that potential number of receiving stations in the event of a disaster at sea. The only means of communicating with those ships, with the exception of 17 passenger and coasting vessels and the same number of government ships, equipped with radiotelegraph, is by radiotelephone. It would not be possible to get in touch with—I think it would work out to 97 per cent of the vessels which populate these waters without radiotelephone, and I do not think that I need point out that in time of emergency you do not care very much whether you have a 5,000 tonner or a 2,000 tonner, or a 50 footer or even a rowboat. The essential thing is to be there at the right time with the proper equipment. That is the position at sea.

On shore we have 12 coast telephone stations operated by Northwest Telephone Company. We have nine government stations, radiotelephone equipped. These are also W.T. stations, 21 stations which maintain a continuous watch. Secondly, we have over 300 land stations which maintain an intermittent watch. Those include radio telephone installations at logging camps, fishing camps, mining camps, and the hundreds of other villages and canneries, communities which are situated all along the coast. It is quite true that the operators there do not maintain a continuous watch, but by day they are always in communication with their respective organizations. The tugboats, for instance, will talk to their vessels four or five times a day. The fishing companies will be talking to their vessels at all times, getting fishing information. Weather conditions are, of course, of great interest to them all. Finding out where the fish are, the prices available, where to land their catches, and other things of that kind. I do not wish to labour the point, but it is essential—absolutely vital—to ascertain the conditions under which these vessels operate and the manner in which they can communicate with one another most efficiently.

I would direct your attention now, gentlemen, to the summary which you have before you. Before dealing with that, it may be of interest to members to know that there are 11 separate frequencies through which ships can communicate, and Mr. Caton mentioned the fact that some of these frequencies become overcrowded. Well, gentlemen, that may appear to be a fairly sound objection from a commercial point of view and on the part of those fishermen who are anxious to get their information into their employers, or to get information from them, but it is very significant when considering distress. I do not think anyone would contradict that the larger the listening audience you have, the more likely you are going to get assistance, the more chances you have of communicating with somebody. So the more these channels are overloaded, the more people that are listening, who are waiting to get through and they are going to be on the air when the distress

calls come through, and of course the distress calls wipe out all calls that are pending. When the signal "May Day" is broadcast on all channels, all channels are cleared, but yet these people still have their sets on available for distress purposes.

Turning now to the reasons for our submission: (1) Existing radiotelephone equipment now installed on towing vessels operating on the Pacific coast is not only adequate but is superior to radiotelegraph as a means of communication for distress purposes. Point 1: The efficiency of any distress service must be governed by the number of persons who are listening at the critical time. You can have all kinds of sets, but it is the number of persons listening that counts. Now, that vital factor illustrates, I think, the most important advantage which can be obtained by radiotelegraph communication. We have 2,200 vessels on the coast, all equipped with radiotelephone. A large number of these vessels, which are of all kinds, are at sea, and they are potential rescuers. Radiotelegraph could communicate with only 17. Thus, you could have a situation which could develop in which a fishing vessel could be a mile or two away from a disaster and that vessel could not be reached if it did not have radiotelegraph. I do not think anyone here would suggest that it would be advisable or proper to require all fishing vessels to carry a radiotelegraph operator.

By Hon. Mr. Chevrier:

Q. This bill does not interfere with your radiotelephone operation in any way?—A. No, not at all, Mr. Minister.

Q. Well, then, what injustice are you suffering if to it is added radiotelegraph? As I understand this bill, it simply confirms your operations with reference to radiotelephone and it makes it mandatory to instal radiotelegraph.—A. Yes, Mr. Minister, but our submission is that radiotelephone is adequate and that radiotelegraph adds nothing to the efficiency of our distress service as given by radiotelephone.

Q. I was not dealing with that; I see that you make statement, but Mr. Caton, I think, in his evidence is of a different view.—A. Yes.

Q. He thinks that radiotelegraph is superior to radiotelephone in certain areas.—A. Yes, I think we are at odds with Mr. Caton on that score, Mr. Minister. I have with me Mr. Lindsay and Mr. Tupper, of Northwest Telephone, who, I believe, will be able to satisfy you on that particular score.

Mr. CAVERS: What would be the additional cost of installing radiotelegraph on your vessels?

The WITNESS: I will be coming to that, if I may deal with that at the time.

By Mr. Carroll:

Q. Did you notice, too, the gentleman said it was superior to telephone in certain places? That is the statement he made.—A. Yes.

Q. Well, you do not have any objection to that general statement, do you, in certain places?—A. I think the limitations on radiotelephone are found also on radiotelegraph in certain places.

Q. I am not talking about that, I am only talking about the statement that the gentleman made here. Of course I do not know. He did not say it would be superior in your case to what you have now—that is, he did not say it definitely, anyhow.

Hon. Mr. CHEVRIER: I did not want to interrupt you, Mr. Bird. Go ahead, please.

The WITNESS: The second point is that the radiotelephone provides direct person to person conversation. Mr. Caton has already approved my point on that score. He admits it and I do not think there is any answer, but there is

one thing that should be said, and that is that with radiotelephone by means of the conference system you can tie in any number of persons on the same call at the same time, so that if a ship is in distress—perhaps I can best illustrate that by referring to the case of the Nootka, which stranded several years ago on the west coast of Canada. She went ashore. This was a freighter and it suffered considerable damage. The master, as soon as his ship went ashore, picked up his radiotelephone and called Captain Gillison, who is here today. Captain Gillison was in bed—it was two o'clock in the morning—and the master reported the details to Captain Gillison, and while that conversation was going on, Captain Unwin, head of their salvage operations, heard this conversation and he joined in the conversation. He wanted to know if there was anything he could do, and what equipment was required. In three separate cases on that call there were people who interrupted up and down on the west coast saying that they had a barge available, would that be of any help, and that barge was of assistance because it was brought down and used to discharge the cargo of the damaged ship and to take it away. Too, every towing vessel within 50 miles of that scene tuned in on the conversation and wanted to know if they could help. The result was that all this was made possible by means of this conference factor. It would be silly to suggest it would have been made possible by radiotelegraph.

Continuing, then, the next point is the simplicity of operations. That has already been mentioned by the members and I do not think I should touch more upon it. You do not require a skilled operator and the equipment is very much less expensive. It takes about one-fifth of the space required for radiotelegraph and, of course, that means the aerials, the transmitters, the receivers, the batteries, the source of power which much be independent of the ship's propelling machinery. And I would like just to discuss that aspect at the moment. To equip towing vessels with radiotelegraphs—and this is our second important point—the specific cost is not only unreasonable but unnecessary, and it would be a physical economic impossibility.

First of all, a word with regard to the space on small towing vessels. As you gentlemen are well aware, most of the space is taken up with the engine. In addition, you must have the wheel house, crew accommodation, dining facilities, and space for stowing spare gear. All available under deck space is fully utilized in this way.

Now, if a radio telegraph was required, you would have to have your main and emergency transmitters and receivers, and the aerial—which in many cases would require an extra mast—and your source of power, both main and auxiliary. And not only that, you would require a separate radio officer's operating shack situated above the upper deck and usually aft of the wheel house, and that would be available for the radio officer and his equipment alone. And in addition to accommodation for the radio officer, you require the life saving equipment necessary for the extra man, and you begin to have factors which are going to affect the ship's stability.

The next point under this main heading is: what will these radio officers do? They are required to do one thing only, and that is to operate their set and maintain it. They do nothing else. They are not available for working the ship. The owners of most of these tug boats will be working for about 20 days of the month, allowing for lay-off time. And when they are tied up over periods of sometimes three or four weeks for the weather, together with the normal tying-up that they have, the economic impact, as you can appreciate, is going to be very considerable.

Mr. McIVOR: What about giving the men time off on Sundays?

The WITNESS: I am not certain about time off on Sundays.

Hon. Mr. CHEVRIER: The Reverend Dan McIvor asked you that question so you had better be careful about your information.

The WITNESS: The cost of telegraph equipment and the necessary alterations to provide accommodation, even if those alterations could be made, would approximately increase the operating cost of the small tugs, let us say, to about \$15,000 to \$20,000 annually. And the effect of such a burden, at least upon the smaller operators, would be virtually suicidal. They could not continue.

The wages of the radio operator—I think I am correct in saying—are in the neighbourhood of \$270 per month. That does not include any overtime, and apart from whether you could always get a radio officer, you would not be able to proceed without one. And it would be necessary in some cases to have a spare radio officer on pay all the time to take care of the fleet which are operated by the larger tug boat companies. I do not think I need dwell any further on the economic burdens because they are fairly obvious, particularly in the case of the single vessel of which there are many on the Pacific coast.

Mr. HERRIDGE: What does the witness mean when he says "single vessel"?

The WITNESS: I mean the tug boat that is operated by a manager who is the owner, or by a skipper who is the owner.

Mr. HERRIDGE: Oh yes. Thank you.

The WITNESS: Now, point 3: to require towing vessels of less than 500 gross tons to carry a radio telegraph would exceed the requirements laid down by the Safety Convention of 1948 which permits vessels up to 5,000 gross tons to engage in coastwise trade without radio telegraph equipment of any kind. That aspect has been mentioned here in order to bring home to the members that the limit is 5,000 tons. That is coastwise trades only, without proceeding internationally.

The effect of this legislation is to reduce the limit to 500 tons for freighters; and so far as the towing industry is concerned, it reduces it to vessels of any tonnage when they are towing boats or vessels of the dimensions and tonnage mentioned in the statute.

I would like to read to the members the recommendations which were made by the conference.

Mr. APPLEWHAITES: Made by whom?

The WITNESS: Made by the Safety of Life at Sea Convention. I think I had better read from the actual book.

Mr. WHITESIDE: It is page 15 of the brief.

The WITNESS: Yes, that is correct. But I am reading now from the International Conference on Safety of Life at Sea, 1948, at page 272, the second paragraph and at sub heading 2:

The conference, recognizing that the safety of life at sea will be promoted by the fullest possible availability of radio on ships, recommends that all governments should consider the possibility of extending with such modifications as may be necessary the requirements for radio installations so that such installations should, in so far as practicable, be carried by ships, including coasting ships and fishing vessels, not covered by the present convention, on voyages in the open sea.

Hon. Mr. CHEVRIER: May I just ask a question. You said that they did not limit it to 5,000 tons. My recollection is that the exception is 1,600 tons.

The WITNESS: On international voyages, Mr. Minister.

Hon. Mr. CHEVRIER: Did you not say 5,000 tons a moment ago?

The WITNESS: Coastwise, Canadian coastwise voyages. I quite agree with your statement that is it 1,600 tons for freight vessels operating coastwise, but when they are proceeding into foreign waters. It is 5,000 tons for vessels which are freight vessels operating only as between Canadian ports.

Hon. Mr. CHEVRIER: In other words, radio telegraphy is mandatory for vessels of 1,600 tons and more, trading internationally and coastwise.

The WITNESS: No. Trading internationally in the coastwise trade.

Hon. Mr. CHEVRIER: That is, trading from one part of the coast to another part of the coast, going on to the United States?

The WITNESS: That is correct; let us say, between Vancouver and Seattle, the limit is 1,600 tons. But if freight is carried by ship between Vancouver and Prince Rupert, then vessels up to 5,000 tons would be exempt from radio telegraphy equipment. I wish to emphasize that the recommendation made by the conference was directed particularly to vessels engaged in the coastwise trade which were proceeding on voyages in the open sea.

In no case, gentlemen, could these tug boats be said to be proceeding in the open sea along routes which have been described to you. In fact, in the very large majority of cases, they are operating very little more than 10 miles from shore. I do not think, Mr. Chairman, and gentlemen, there is very much more that I can usefully add.

The submission made by the British Columbia Towboat Owners Association of British Columbia, and the Coastwise Operators Association is that the radio telephone, in its present stage of development on the Pacific coast, is as good or better for distress purposes than radio telegraphy. They contend that to require the tow boat industry to fit their vessels with radio telegraphs, when they are already fitted with radio telephones, would be unnecessary and unreasonable. They ask that all reference to towing vessels engaged in towing on the Pacific coast be deleted from the Act.

Hon. Mr. CHEVRIER: In effect, that means the repeal of subsection (3).

The WITNESS: Not all of subsection (3), Mr. Minister, just so far as it affects them.

Hon. Mr. CHEVRIER: The tow boats?

The WITNESS: The towing vessels; it would repeal all that part of the section appearing in the third line "outside of a port and to steamships", and deleting everything which follows the words "and to steamships" on down to the end of the section.

By Mr. Applewhaite:

Q. May I ask you one question. Would the people whom you represent object strenuously if there was left in the proposed Act the provision which made somebody, either the tug or tow company put in telegraph equipment where the tow was a vessel of 500 tons, or does that bring you into the clause on scows which are towed without a crew?—A. That brings you into the clause on scows. The scow is a vessel as defined in the Act.

Q. But a scow could run to over 500 tons gross and still be towed without a crew?—A. Yes. There is one scow there of 2,200 tons, which is a dump scow.

By Mr. McIvor:

Q. How many men are employed on the average tug?—A. It varies in accordance with the size of the tug. In some cases there are 12 or 14 on the tug. In other cases, the crew consists of just the master and perhaps a deck hand.

Q. Have the men made any demands for radio telegraphs?—A. No sir, not to my knowledge. I would be glad, however, if Mr. Lindsay would answer that question.

Hon. Mr. CHEVRIER: I think they did in 1950 when the Act was being amended. Is that not a fact, Mr. Matthews?

Mr. MATTHEWS: There were representations.

Hon. Mr. CHEVRIER: Yes. Representations were made by certain guilds I think, but not necessarily from the west coast. However, certainly guilds representing Canada demanded that this very amendment be put into effect. In fact, my recollection is that an amendment was moved at that time and because we did not know enough about it we wanted more studies. I made a statement that we should be allowed to give it some study before bringing it into effect. Therefore it is as a result of those studies that we have included it in this Act now.

Mr. APPLEWHAITE: I am only speaking from memory, but I think the amendment to which you refer was moved by Mr. Green and supported by myself, and I think it was in reference to passenger vessels.

Mr. GREEN: I did not hear what the minister said at the first. I could not hear what he said in his opening remarks.

Hon. Mr. CHEVRIER: I simply said that I thought representations had been made. I thought that an amendment had been moved by a guild, not necessarily from the west coast, but representing groups across Canada demanding the kind of amendment that we have in this Act now, and that I resisted it at that time. In fact, the representations went much further than the amendment which was moved and I resisted them on the ground that I thought that we ought to give it more consideration and as a result of that it has been included in the Act.

Mr. GREEN: I do not think Mr. Applewhaite moved that.

Mr. APPLEWHAITE: I think I did but it was with reference to passengers.

Mr. GREEN: The discussion before I think had to do with passenger vessels.

Hon. Mr. CHEVRIER: Possibly.

By Mr. Green:

Q. Is it correct, Mr. Bird, that the people whom you represent would be willing to be made subject to regulations that require that you carry radio telephones upon your tugs?—A. They all carry radiotelephones now.

Q. But you do that voluntarily. Are you willing to be made subject to regulations to that effect?—A. Yes. We are and we carry radiotelephones which we consider are absolutely necessary to our operation. We shall carry them in any event.

Q. Have you considered clause 6 in subsection 2 of section 2 of the bill which provides for regulations covering radiotelephone installations on the upper St. Lawrence and on the Great Lakes?—A. No. We have not, sir. We know nothing of the conditions that exist there.

Q. Would your situation be met if your boats were made subject to a similar condition, that is similar to what is contained in clause 6 in subsection 2 of section 2 at the top of page 4?—A. I am sorry, sir, I am not in a position to answer that because I know very little about the telecommunication convention which apparently governs or will govern the lakes, so that I am not really qualified to answer your question.

Q. In effect that clause 6 gives the Governor-in-Council power to compel radiotelephone installation on vessels on the Great Lakes. I have just been wondering whether an extension of that power to cover these small tugboats would not meet the situation.

Hon. Mr. CHEVRIER: They are covered under subsection 4 on page 3.

Mr. GREEN: Indirectly.

The WITNESS: I may say that our position is that if the committee or if the government should be of the opinion that radiotelegraph installation on tugs on the Pacific coast is not desirable then there would appear to be no necessity for such a provision in the Act, and I think I must say that although my clients do not believe that the regulations which are being or may be put into force by the department will not be intelligently prepared and drawn up, they feel very strongly that if the operative part of the section, that is subsection 3, section 2, is there and the exemption is made possible by order in council, that the exemptions which are made can be made at the whim of the government and the order in council comes out and it lands on your desk and there is nothing that you can do about it. It is our feeling that if this section relating to tugs in the towing industry is not necessary that it ought not to be in the Act and the very fact that it is there as some gentleman pointed out it can be cured by exemption and that appears to us not to be a proper way of enforcing the requirement.

Hon. Mr. CHEVRIER: You are aware of the sections under which these exemptions are made. The exemptions must be tabled in the House. I think that is under sections 118 and 119 of the Canadian Shipping Act. They have to be tabled in the House and there has to be a reason given for the exemptions. I was going to ask you whether your position would not be met by subsection 4 of section 2. After all as I look at the map there are some tugboats that will be operating at more than ten miles that will be operating under conditions that are different from those of the Great Lakes.

The WITNESS: Yes. That is quite true, sir.

Hon. Mr. CHEVRIER: And that therefore the reasons why telegraph is perhaps more important or more adequate than telephone, as was given by Mr. Caton, and of course I have to rely on that advice, are perhaps strong enough to warrant the section as it is. But to meet your position with regard to the amendment, what is your answer to that?

The WITNESS: If as the member here suggested a moment ago a section could be inserted in the Act which would be directly applicable to the Pacific coast so as to enable radiotelephone installation to proceed, then I feel that that might well meet the situation.

Mr. CAVERS: Do you think there is any discrimination against those people operating on the Atlantic coast?

The WITNESS: I am not very familiar with the situation on the Atlantic coast. I am not qualified to discuss it. I had a call this morning from a representative of the East Coast Tugboat Owners Association. Apparently they had just learned of the effect of the bill and they are very disturbed about it and wished to make representations but felt it was perhaps too late.

Hon. Mr. CHEVRIER: I think after you and those associated with you have been heard we should hear what Mr. Caton and Mr. Cummings have to say. Is there something else you wished to say?

The WITNESS: No, except I have Mr. Lindsay of the British Columbia Tugboat Owners Association here and Mr. Tupper the manager of the Northwest Telephone and I also have Captain Gillison of the Coastwise Operators Association.

Mr. CAVERS: When do you propose to meet again?

The CHAIRMAN: That would be at the wish of the committee.

Mr. CAVERS: I would suggest in the light of other committee meetings this afternoon that we meet this evening.

Hon. Mr. CHEVRIER: I will be unable to be here this evening. I would like to meet this afternoon. I am sure the witnesses here have come long distances and would like to be heard this afternoon.

Mr. GREEN: The trouble is this, that the Atomic Energy Committee is having two very important meetings today. We had one at ten o'clock this morning, and then this afternoon we have a witness at 3.30, and he has got to go to Australia, so this is his last chance to be heard, and we simply have got to go to that meeting. Some of us at least are very vitally concerned with the shipping problem, and we would like to be here throughout all the discussion.

The CHAIRMAN: What time do you meet this afternoon.

Mr. GREEN: 3.30.

The CHAIRMAN: Could you call that meeting at 3 o'clock and have this at 4?

Mr. GREEN: I do not think they would be through.

Mr. CAVERS: Call this meeting at 4.30.

Mr. APPLEWHITE: I would suggest if possible we might be able to meet at say 4.30.

The CHAIRMAN: All right, 4.30 this afternoon.

AFTERNOON SESSION

The committee resumed at 4.30 p.m.

The CHAIRMAN: Gentlemen, we have a quorum. I will call Mr. J. A. Lindsay, Chairman of the British Columbia Towboat Owners Association Special Committee.

Mr. J. A. Lindsay, Chairman of the British Columbia Towboat Owners Association Special Committee, called:

The WITNESS: Mr. Chairman, as representing the British Columbia Towboat Owners Association all I think it is necessary for me to do is to confirm what has been said by Mr. Bird, our counsel. We feel on the Pacific coast, in so far as tug boats are concerned, that the use of radio has been developed to a point which is much greater and which is more effective than any other place in Canada. We could not even consider operating any kind of tug boat without the use of radio communication. We are in constant communication with all of our tug boats all the time, that is, in a general sense. We talk to our boats at least four times a day, and all the boats can call us in the case of a disaster, or if it were necessary for a boat to get help of any kind, there has never been a case that I can recall since the advent of radio in the late 1920's where a boat has not been able to get help in a matter of a very few minutes or even a very few hours. There is always a great number of boats in the area and it is always possible and always has been possible to contact other boats.

The area in which we operate is about 650 miles long and not over 10 to 15 to 20 miles wide. When a boat is in operation in those waters it is almost certain to be able to contact a boat not more than 4 or 5 miles away, or even 6 miles away from it. And in the case of a boat having any trouble or distress, what you want to do is to get assistance as quickly as you can. For that reason we strongly feel that in operating our vessels, the radiotelephone is the answer both from an economic point of view as well as from the point of view of safety of life at sea.

The CHAIRMAN: Thank you.

By Mr. Low:

Q. May I ask you a question before you leave. What do you find to be the effective radius of successful transmission with a radiotelephone?—A. We talk to boats regularly from Vancouver to Prince Rupert which is 500 miles away. I would not like to suggest that in very unfavourable weather conditions it is possible to carry on a conversation which would be intelligible, you understand. But certainly in the case of distress, where you have not got to carry on a conversation, but just get out your distress call, it would not be necessary to have the boat talk to our shore station 500 miles away. Such a boat could contact other boats which are not very far away. It is more than likely that there will be boats nearer to it than the shore station which is 500 miles away.

Q. Do you find, so far as weather conditions are concerned, that the radiotelephone is effective up to 15 or 20 miles?—A. Oh yes, and much further than that.

Q. What would you say?—A. I would say 100 miles, easily 100 miles.

By Mr. Green:

Q. Are there any of your tugs which do not have radiotelephones?—A. I do not know of a single tug operating out on the Pacific coast which goes out of the harbour which is not equipped with a radiotelephone.

Mr. APPLEWHITE: Where abouts on the ship is the radiotelephone?

The WITNESS: In practically every case it is in the wheel house, the pilot house.

Mr. GIBSON: You mean there is a constant watch there?

The WITNESS: Yes, there is a constant watch.

The CHAIRMAN: Are there any other questions which you would like to ask of Mr. Lindsay?

Mr. GREEN: Would your association have any objection to being made subject to regulations which required a radiotelephone and regulated the use of that telephone?

The WITNESS: I would say that we feel that we do not need regulations because we are regulating ourselves, and that we do it very well. But I do not think we could object to government regulations.

By Mr. Riley:

Q. What is the production cost as between the radiotelephone and the radiotelegraph on the boats. I mean just the equipment itself?—A. I could not answer that in so far as wireless is concerned or radiotelegraphy. I do not know the cost of that equipment.

Q. What would be the unit cost of the radiotelephone?—A. From \$600 to \$1,000. It depends on the particular equipment you use. And as to the more expensive equipment, you would be putting that on the large boats.

Q. Have you any idea what it would cost to keep a radio telegrapher on the tug all the time?—A. You mean to carry an operator?

Q. Yes.—A. To carry an operator, one operator, would require a minimum of \$5,000 a year. And if you were required to carry three operators, it would mean a minimum of \$15,000. That includes the cost of carrying the operator and the cost of feeding the operator. In addition to that there are very few tugs which have any room for radiotelegraphy equipment. You must have a separate room. You must have a room for your operator to stay in. A tug is just a vessel which is taken up by machinery, accommodation for the crew, and accommodation for fuel and stores. You do not make it any bigger than you have to. In the majority of tugs there is no accommodation or place where you could put a wireless telegraphy crew.

Q. Is there any regulation which requires that you keep a radiotelegrapher on the job in separate quarters in the same way as an officer? That is, does he have to be provided with separate quarters?—A. I cannot answer that because I do not know much about radiotelegraphy equipment.

By Mr. Low:

Q. Did I understand that the total installed cost of a radio telephone would be something between \$500 and \$1,000?—A. Something between \$600 and \$1,000.

Q. And that is the total cost?—A. The total cost of buying the machine and installing it.

Q. How much space would the whole installation take up?—A. The whole equipment would take up a space about 2' wide and 2' high. It is very compact. Your batteries or power supply are underneath in your engine room. But that is the equipment which goes into your pilot house.

Q. In the event of this section being passed and becoming law, would you still carry on with your radiotelephone equipment? Would you then need it?—A. We could not operate without radiotelephone equipment today. It could not be done from an economical point of view.

By Mr. Green:

Q. What do you do about repairs to your radiotelephone equipment? Can your masters repair your equipment?—A. The master or the engineer can make minor repairs such as replacing fuses and that sort of thing. As to mechanical repairs or things of that type, they cannot be done by the crew. But there are certain stations spread along the coast such as Vancouver, Powell River, Alert Bay, Ocean Falls, Victoria, Nanaimo, and so on, where there are technical men, and should the equipment go out of commission, you will be close enough to a station where you can get a technical man to repair it.

Radio equipment today requires very little in the way of repair. You might blow a fuse or something of that nature, and in that case your crew can replace it, because you will be carrying spare fuses. And the same thing with tubes; you could replace a tube. That can be done on board. But that is all you can do. The technical men are there spread along the coast.

By Mr. Gibson:

Q. When your boat leaves port you are not always aware at that time as to what towing there may be, are you? You may send them out for a tow of certain dimensions, but circumstances might arise and you might find that they have to pick up a raft or some other form of tow of much greater dimensions. Therefore, in order to get directions to them that would have to be done pretty well by telephone in many cases, would it not?—A. That is correct. The telephone is absolutely essential to the operation of the boat.

Q. It would not be physically possible for them to know after leaving port. They might have to hook up to a tow of 500' or 1,000' in dimension?—A. No. We might not see a boat in ten days, but in that time the boat might have made 10 or 15 tows, and all that dispatching is done by radiotelephone after the boat has left port.

Q. So you would not have time to get an Order in Council passed after your boat has left port?—A. Certainly not.

Mr. RILEY: Moreover, in the middle of the night the offices of the Department of Transport might not be open.

By Mr. Green:

Q. Clause (3), in subsection 1 of section 2 of the bill refers to the towing of another vessel of 500 tons gross tonnage or over; and in addition to such vessels, it mentions other floating objects, such as booms, I suppose. To what extent do your tugs tow vessels which would be 500 gross tons or over?—A. Out of perhaps 400 barges in operation on the coast, I would say that at least 10 per cent of them are over 500 tons. Since the last war the tendency has been towards greater and greater barges. There are barges operating on the coast now as high as 2,200 tons, and of course, there are old barges operating which are 500 tons.

Q. There are about forty such on the coast?—A. About four hundred in all.

Mr. APPLEWHITTE: Mr. Chairman, I would like to have Mr. Caton recalled so that I can ask him a few questions arising out of this.

Hon. Mr. CHEVRIER: Could we not have the examination of these witnesses over and then we can have the departmental witnesses reply if any reply is necessary. I would like to have all the representations there are from the west coast—if you don't mind, Mr. Applewhaite.

By Mr. Gibson:

Q. The tows of these dimensions—over 150 feet—would apply to Davis rafts and Gibson rafts, too, wouldn't they?—A. I would take it they would apply to a Davis raft or a Gibson raft, anything over 100 feet.

Q. Well, they are all over 150 feet.—A. Yes.

The CHAIRMAN: If there are no further questions, we will call on Captain J. M. Gillison.

Captain J. M. Gillison, Chairman of British Columbia Coastwise Operators Association Special Committee, called:

The WITNESS: On the British Columbia coast service we have some 15 ships which go from Vancouver up to the north end of the island and some of them go right up to Skagway. Some of these ships are fitted with radiotelegraph, but they are all fitted with radiotelephone, and these radiotelephones are generally in excess of the requirements of the department as we know them. The department has shown me a form in which they are intending to consider north of the international line, which is around here, up to the north end of the island, where provided we have a suitable radiotelephone, it would not be necessary to have a W.T. on board, and that is very suitable to us. From the north end of the island up to the international border, then we will require W.T. We do not think we need it, but we are quite willing to continue as we are at present, mainly as we have to have W.T. anyway in the international limits. From the international boundary up to Skagway we will continue to use W.T. in any case. On the west coast there are practically no passenger vessels now. We have in mind a small one carrying some half dozen passengers. If we have to have W.T. on that, it will practically cut out the carriage of passengers; the six passengers we would carry would make it uneconomically unsound to carry a W.T. set on board. For one thing, it would require one or two rooms to house the operators, so we would only be able to carry three or four passengers, which would hardly be worth while, so I would like the department to consider outside the island, but what the department has offered me so far is quite suitable to us.

Mr. CARROLL: You mean what the department is offering now by this bill?

The WITNESS: Mr. Caton showed me a sheet, a map, on which they outline various areas in which they think it would not be necessary to carry W.T. equipment, that is inside the island. Now, inside the island is very similar to the river St. Lawrence and I understand you do not require W.T. in that area, and we would like a similar consideration.

Mr. GIBSON: Captain Gillison, you are not speaking of tugboats now, this is passenger vessels you are referring to?

The WITNESS: I am speaking of passenger ships, passenger cargo vessels and cargo vessels. Now, none of the cargo vessels carry W.T., but they all carry radiotelephone, and we consider this sufficient for the time being anyway.

Mr. CARROLL: Are there not some places in the northern area of British Columbia where a telephone is more or less useless?

An Hon. MEMBER: Louder, please. This is not a Quaker meeting!

The WITNESS: In actual fact we have ships operating up in Skagway, a thousand miles away from Vancouver, and our own ships further south in Vancouver converse with them every night when they are in that area, they have no difficulty with them; but even with W.T. there are areas where the reception is not too good. I understand that applies also to W.T., but by and large the set works very efficiently. Just recently since Mr. Caton's last visit to the coast we took out all the smaller sets and put in non-tunable receivers on their advice and increased the power from 40 to 75, and it is the eight channel set, so we can listen in to 2182 or to Vancouver or in the north to the

American vessels, to American shore stations, and either to American shore stations or American ships, and Canadian ship to ship, and also in some cases to the fishing vessels. So we consider we have a very good coverage there.

Mr. RILEY: Captain Gillison, what has been—

Mr. HERRIDGE: Louder, please. This is not a tête-a-tête.

Hon. Mr. CHEVRIER: Nor a cul de sac!

Mr. RILEY: What has been your experience in regard to trouble breakdown on radiotelephone units?

The WITNESS: We have had very little trouble with breakdowns of radio-telephone units. If there is any trouble at all, somebody on board has always been able to fix it up. With the newer sets, the minor defects seem to be very rare. We have had no trouble.

Mr. CAVERS: We were informed this morning that on the international service a ship leaving Vancouver headed for Tacoma or Seattle would be obliged to carry W.T. Would you not consider it important, then, that a ship going north of the island would require W.T.?

The WITNESS: I said proposals by the department were that north of the island, including Rivers Inlet, we would be required to carry W.T. That is quite in order. We will continue to do so, as far as larger passenger ships are concerned, not for freighters.

By Mr. Green:

Q. Captain Gillison, you are with the C.P.R.?—A. That is correct.

Q. Under the present regulations you have to carry a wireless operator all the way from Vancouver, don't you, on your passenger vessels?—A. We carry a wireless operator on the larger passenger ships, on all the C.P.R. boats that go up there, the Canadian National boats have to also, and the Union Steamship, that is three, and they have operators on board, and I think they all do nothing else but operators' duties.

Q. Now, you are asking for a change so that you won't have to carry any wireless operator except above the northern end of Vancouver Island?—A. No, sir, north of the island we are quite happy for the next several years anyway to continue as at the present on the ships that I have mentioned, several C.P.R. vessels of the larger size, the Canadian National, and the Union Steamships vessels—these are the only ones operating there at the present time—to carry operators as at present, no change. But inside the island, south of the north end of Vancouver Island we would like to do away with the requirement of W.T. and substitute the radiotelephone, as we have radiotelephones on all our ships at the present time.

Q. Of course this brings up the question of passengers, which is quite a different matter from tugs towing booms of logs.

Hon. Mr. CHEVRIER: As far as I am concerned there is no intention of amending that section, and I do not know that we are going to amend any section, but that has been determined and I hope there won't be any attempt to change that section.

By Mr. Green:

Q. I agree with you, Mr. Minister. I think that people travelling on the coast are at least entitled to that much protection, to have the ships carry these wireless operators. For example, Ripple Rock is south of the north end of Vancouver Island and that is one of the most dangerous places on the west coast, is it not?—A. True, but I do not think the radiotelegraph would serve a much useful purpose around Ripple Rock. Anything that would happen there would happen awfully sudden and you would have to move very quickly in rescue work, and that would have to come via radiotelephone. The captain

would have to get on the telephone very fast, or some of his officers would have to, to call the various vessels in that vicinity. Radiotelegraph would have to go all the way down to Vancouver, and it would only be radiotelegraph vessels who could answer it.

Q. You carry a radiotelephone in any event?—A. Oh, yes, we carry it now. We have been improving it for some years. We are far in excess of any requirements by the department in that regard.

Q. But at the present time you do not have a special officer allocated to look after it at all?—A. Any officer who is on the bridge, and we have instructed a number of officers, especially on the vessels going north. There are two officers on the bridge at once and there is one officer who has to answer that telephone and do nothing else.

Q. Yes, but is he required to do that?—A. Yes, all the officers can do that.

Q. But there is no one whose one job it is to look after the radiotelephone?—A. You mean the upkeep?

Hon. Mr. CHEVRIER: The operation.

Mr. CAVERS: Anyone on the bridge has to answer it?

The WITNESS: Any officer on the bridge answers the phone or talks on the phone, or does anything that is required.

Hon. Mr. CHEVRIER: He is required to keep a continual watch?

The WITNESS: We require him by our own instructions to keep a continual watch.

By Mr. Green:

Q. On the west coast of Vancouver Island you say there is no need for a wireless?—A. I do not say that. That is up to the department to decide. We only have at the present time freighters running on the west coast, but we have in mind a small vessel to carry passengers from one island to another, not necessarily from Victoria, all the way up, because most of this business is done by air, but we have had requests from mining and fishermen going from one island to another, probably an hour's run. They cannot get planes for that area. We had in mind having passenger service in these waters outside of the island.

Q. How many passengers would that boat carry?—A. We had in mind six or a dozen, a small quantity. They will be day passengers, no sleeping passengers.

Q. It will only carry eight passengers?—A. Somewhere in that vicinity. It has not been decided upon yet as to whether we will even carry any passengers.

Q. You might only have a launch.

By Hon. Mr. Chevrier:

Q. What is your position here? Are you supporting the position taken by Mr. Bird?—A. Mr. Bird is joint counsel for both the coastwise operators, which I represent, and—

Q. You are not, I understand, arguing against the abolition of subsection (3) on page 3. Are you taking the same position as he is?—A. Can you enlarge on that?

Q. Subsection (3) provides for W.T. on steamships of 500 gross tonnage and upwards going on any voyage outside of the port, and to steamships under 500 gross tonnage engaged in towing another vessel of 500 gross tons.—A. I would prefer keeping away from the towing side, Mr. Lindsay having taken care of that, and to stay with the passenger boats.

Q. Now, then, let us get this clear. You are not, therefore, supporting the position taken by Mr. Bird. You are going beyond his position and

you are addressing yourself to subsection (2) which makes it mandatory for passenger ships to operate with wireless telegraphy equipment.—A. We would prefer not to have any W.T. on board a ship, but we are required to have it south of the international line and north of the international line and we are in favour of continuing that operation north of Vancouver Island.

Q. And you are also required to have it between the international line and the coast as far north as it goes.—A. That is correct. We have to have it anyway.

Q. By virtue of this amendment.—A. By the international rules we have to have it.

Q. Well, I think I understand your position. As I understand it, you are objecting to the operation of section 2 in so far as certain passenger vessels are concerned, for certain voyages.—A. In certain limits, that is between the north end of the island and the international boundary. At the south end of the island we would like to be in a position where we do not have to have W.T. operators on board and that we can work exclusively with radio-telephones.

Q. How many ships would be affected in your group by this section?—A. About 10 passenger ships and possibly about 25 freighters—that is roughly.

Q. How many of these 35 are already covered by the International Safety of Life at Sea convention?—A. They all have a radiotelephone.

Q. And how many of the 35 already have W.T.?—A. They are 50 fitted with W.T. at present.

Q. So that there would be 20 effected by this amendment?—A. More or less. Sometimes these ships run all the way to Alaska. In that case we have to have W.T. aboard. In other cases they may run down below for several months on end, and we consider it is not necessary to have a wireless operator aboard in that lower area. For instance, we have a ship called the *Princess Nanaimo* which runs from Vancouver to Nanaimo. It makes two or three trips a day. On that ship we have this 75 watt set, 8 channels, which is non-tunable so that the officers cannot listen to any broadcasts and cannot make a mistake about putting it on the radio channel, and in addition we have a F.M. set for passenger use, which passengers can use to call up anybody in Vancouver. It is a duplicate set so we have two sets on board, and we have orders in for five more.

By Mr. Green:

Q. How many passengers does that ship carry?—A. 2,000.

Q. And you want to take the wireless operator off that ship?—A. At present all we are required to have is a combination set. We have seldom ever used it except to give the odd time of arrival. The rest of the time we use the radiotelephone.

Q. And you quite often have bad fog?—A. Yes.

Q. And there is quite a lot of traffic?—A. There is a fair amount of traffic, yes.

Mr. APPLEWHAIT: May I be permitted to ask the minister a couple of questions.

Hon. Mr. CHEVRIER: Yes.

Mr. APPLEWHAIT: Clause 2 of the bill. Subsection 1 of clause 2 of the bill, introduces subsection 2 of section 406. The numbering is a little complicated. What I am getting at is this. Near the top of page 4 we have subsection 4 which refers to subsection 1 of this section, which is section 2 of section 406. In other words, if this Act is passed, am I right in believing it would still not be applicable to any coastal waters until such time as the Governor in Council had issued a proclamation that it was.

Hon. Mr. CHEVRIER: That is right.

Mr. APPLEWHITTE: That is the reverse then of the one that we were discussing this morning. It is not a question of exemption. It will require a proclamation to bring it into force after the Act.

Hon. Mr. CHEVRIER: That is to give them some time to make regulations.

By Mr. Gibson:

Q. Captain Gillison, have you ever had a failure of communications on passenger vessels on the Pacific coast?—A. On radiotelephone?

Q. No, I am speaking of communications.—A. No, perhaps you are referring to the Kathleen case.

Q. No, I am referring—A. I cannot recall any other.

Q. I will refresh your memory. Do you recall the Tees which used the ports around the west coast?—A. Yes.

Q. She was lost one time for ten days.—A. Yes, I believe so.

Q. And as a result of that loss all vessels in Canada had to put on power lifeboats. Is that not true?—A. Well, they do not all have power lifeboats at the present time.

Q. I understood they had. I understand that was a wireless telegraphic installation on the Tees.—A. That is in the early days.

Q. Not too early for me.—A. During the last five years there have been tremendous strides in radiotelephony and radiotelegraphy, so that for instance even seven years ago some of our ships were not fitted with a radiotelephone, and we were not required to fit them, but we have fitted the best we can get on these ships.

Q. But the Tees had only radio wireless telegraphy?—A. I am not too sure, but in view of these various accidents we have improved things to the best of our ability.

By Mr. Green:

Q. There are a lot of freighters operating into Vancouver on which the masters speak other languages, for example, Norwegian freighters, and Greek and Japanese and various ships from other nations. Are they equipped with radiotelephone?—A. No. If they run into trouble, they send an S.O.S. on regular telegraphy I presume, which we get back over the telephone.

Q. And also, if your *Princess Nanaimo* was likely to run into one of these ships in that vicinity, would not wireless be far more valuable than radiotelephone?—A. I very much doubt it. It is too slow. With radio-telegraphy, somebody has to stop and write it out in message form, and that all takes time. Having written it out, he has to take it to the telegraph officer, and they have to assess the charges, and finally send it out. The other man has to receive it, and write it out in a form to give to the master. In the meantime if they have telephones, and we all have, the whole thing is finished in a few moments.

Q. But only local ships have telephones. Big freighters do not have them.—A. I am not sure. Some have, some have not.

Q. They are in and out of the harbour, and through the gulf all the time?—A. There is an international channel and they use it all the time.

Q. And they go up to the north end of the Island?—A. That is quite correct.

Q. They ply in the same shipping lanes up to the end of Vancouver Island as your passenger ships would to a great extent from Vancouver.—A. The majority go right outside the Island. They do not like going through the inside passage.

Q. But some do?—A. Yes, some do.

The CHAIRMAN: Any further questions? I call on Mr. S. D. Clarke, general manager of the Clarke Steamship Company Limited, of Montreal.

Mr. S. D. Clarke, General Manager, Clarke Steamship Company Limited, Montreal, called:

The WITNESS: I am S. D. Clarke, general manager of the Clarke Steamship Company Limited, Montreal. I am representing our own company and I have also been authorized by Mr. Leopold Langlois to represent him, as he represents the coast operators, the schooner operators on the St. Lawrence. In so far as this bill is concerned, we approve its application in so far as it applies to making the international convention on safety at life at sea applicable to Canadian vessels. Furthermore, we also agree that further precautions must be taken to safeguard the Canadian vessels when operating in coastal waters—that is, additional to international requirements—and that seems to be the object of the bill.

The only place where we seem to have a difference of opinion, and that may come out later in regulations, is in the method or tool by which this safety is achieved. The safety here is envisaged, as I see it, by wireless telegraphy, which means key operation, and we feel that this safety can be achieved by the means of radiotelephone.

Our own experience lies in the direction of radiotelephone. There are at present no regulations which tell us what to do. In the old days we had to use wireless telegraphy where we thought that necessary, and that has all been superseded and now our vessels have radiotelephones in use.

I think the arguments as to the advantages of the radiotelephone have been very ably presented already by Mr. Bird, and the other persons who gave evidence here this afternoon.

However, there are just two points I have to add. The first one has already been touched upon, and that is the time it takes to pass a W.T. message. It was mentioned a few minutes ago. You have a captain on the bridge who is trying to find out what is going on, or he has struck another vessel, or come into collision, and he has to try and read a message on the bridge which might be in darkness in order that he can see other ships. He reads that message and passes it on to somebody who runs down to the radio shack or cabin. That message can be passed by telephone between the bridge and the radio cabin. That is another method, but in any case, he must communicate with another man, the wireless operator. That man may or may not get the message clearly. He then turns around and passes the message by wireless telegraph. Another ship or a shore station will have to get that message which is in the international code, write it down before anybody understands it, and pass it to the master of the ship. That involves quite a bit of time. In the case of our own company operating in the gulf we operate passenger ships there—they had a collision in fog, and felt the collision was due to the fact that they had wireless telegraphy on the ships, and subsequently all the ships were equipped with radiotelephone as well as wireless. They felt that the only quick way to send a message was by radiotelephone.

The second point I would like to make is that we all envisage passenger ships as being like the Queen Mary or the New Amsterdam or something like that. But here it must be remembered that under international law a passenger ship is one that carries more than 12, and under Canadian law a passenger ship is one that carries more than one passenger. That ship might be a small ship, suitable for its purpose, but not suitable for going to England.

We had a ship 200 feet long which plied international waters and which required wireless installation, and the installation only had to be good for 100 miles to fulfil international regulations, and the Canadian Marconi Company, who are a competent wireless company, had the greatest difficulty in equipping that ship with a wireless set.

I am not a technician, but I know they had trouble in getting the necessary type for this ship, because the ship was very low, and they could not get a high aerial and it was not very long, so they could not fit a long aerial, and they had difficulty in meeting the requirements.

We have had no trouble in reaching 100 to 200 miles with a radiotelephone of a much smaller capacity. I do not know for certain, but I feel sure that wireless telegraphy can be installed by vessels under 200 feet. I do know they can be equipped with radiotelephone. It is merely a question of keeping to the fulfilling of the Act.

I think also we must remember that some of these passenger ships are really small ferries, and if you apply the Act exactly the way it is written—although as I said before, there is scope for dealing with that by regulation—but if apply it to ferries going across the mouth of the Saguenay, you would require that ship to have a wireless telegraph which I do not think is necessary. Possibly it should have a radiotelephone.

We are very much in favour of this strengthening of the Act. We have placed radiotelephones on our ships. We think that this aspect of it should be investigated, and that all ships should be assured that they have them.

I do not think there is very much more I can add. It really is the method by which this safety is going to be achieved that we are talking about.

By Hon. Mr. Chevrier:

Q. You have never had too much trouble with the method by which the Department of Transport puts into operation the regulations on the north shore.—A. No, Mr. Minister. We have always been able to meet with them and discuss the matter.

Q. On the whole I see you are not objecting to the subsection 2.—A. I think that subsection 2 was mentioned before, that subsection 4 on page 4 would apply and I presume when it is applied it can be applied to certain sections which require it.

Q. It is the intention, yes.—A. There is only one thing, if you will pardon me, which is from a safety point of view. I do not think we should take an area and say the Act will not apply to this area and have nothing there. I think it should say wireless telegraphy does not have to apply but you must have radio telephone.

Q. I agree. The purpose of this whole thing is to prevent accidents as much as possible and make it easier to communicate with headquarters in the case of collision or urgent necessity. I think your contribution has been very thankful.

Mr. GIBSON: Mr. Chairman, are you through with the outside witnesses on your list?

The CHAIRMAN: There is still one more. We will call Mr. Peter Wright, counsel for the Dominion Marine Association.

Mr. Peter Wright, Counsel for the Dominion Marine Association, called:

The WITNESS: Mr. Chairman and gentlemen, my name is Peter Wright. I am appearing as counsel for the Dominion Marine Association which is an organization of the Canadian Lake Ship Owners. There are about 25 ships owners in the association. They have about 200 ships varying in size from over 1,000 tons to a little over 13,000 tons and they have about 75 per cent of the Canadian vessels on the Great Lakes. I think that I should say that it is this association which has recently been conducting the school at Toronto for the training of operators for the radiotelephone. And that is a very proper introduction to the point of view that I wish to put forward which is that this

association and the lake owners generally, both in Canada and the States, are convinced that for their operations radiotelephone is the answer. It is now on every lake ship in the normal lake trade. I do not think there is any doubt that it has been a very important factor in the low collision record that there has been since its adoption in the lakes, and anyone who has seen that tremendous lake trade going on the last years will know that radiotelephone is the way that the lake freighters operate. I do not need to dwell on that because that fact has been recognized by the governments of Canada and the United States by the completion of the treaty which is referred to in the notes to the Act opposite page 4. It is officially the agreement for the promotion of safety on the Great Lakes by means of radio which was made between Canada and the United States on February 27th, 1952. Now, that treaty has the enthusiastic support of the lake owners, and for convenience I would like to refer to it as the Radio Lake Treaty. Our position before the committee I hope will be evident to be a positive one. Any objections that we have to this legislation are that we regard the imposition, for the over-all safety precaution in Canada, of wireless telegraph as a step backwards because the great thing that is providing for safety on the lakes today as well as other places is radio telephony. What we would like to see is a declaration that in the inland waters of Canada and in the lakes and rivers and coastal waters of Canada radio-telephony should be recognized as the basic safety precaution. It is recognized by the treaty.

Now, I would like to point out why we are a little disturbed about this legislation, and it arises because of some features of the lake trade with respect to which I would like to illustrate. Generally speaking there are over 600 ships on the lakes making one of the largest movements of cargo that is moving in any sphere in the world backwards and forwards not only in the lakes but in the lower St. Lawrence river. Now, owing to the size of the canals the lake trade divides into two and for our purposes we have the upper lakers which are the larger ships of 13,000 tons carrying huge cargos of grain or coal or ore up and down the lakes Superior, Huron, Erie and Ontario and are able to do it because of the size of the locks at Sault Ste. Marie and Welland which permit draughts of 26 feet. But, I need not tell this committee that when we come to the canals on the lower St. Lawrence and at the end of Lake Ontario—

Hon. Mr. CHEVRIER: The Ontario-St. Lawrence canals.

The WITNESS: Thank you—there is a draught of 14 feet and on those canals they operate canalers all of which are under 5,000 tons, and those canalers carry a great deal of this cargo which has been brought down the lakes by upper lakers and carry it to Montreal and other points on the lower St. Lawrence, and many of them on their return trips bring back cargos from the lower St. Lawrence and as far east as Corner Brook and Seven Islands and many timber stations along the lower St. Lawrence river.

Now, under the law as it stands without this amendment the canalers are all under 5,000 tons so that if you look at section 406 which is being amended, subsection 2, you will see that clause (b) reads—I am reading at the bottom of the comment opposite page 3:

This subsection shall also apply to all other steamships of five thousand tons gross tonnage and upwards going on any voyage which is or which includes a voyage of more than two hundred nautical miles from one place to another place.

Consequently under the present legislation the canalers which generally speaking run to Montreal and then down the lower river are not affected by the present legislation at all, but they are affected by this statement in subsection 3 of the bill. That subsection 2 also applies to all other steamships of 5,000 tons gross tonnage. That is a significant change and I would like to

deal with it later. Then, I would like to point out that clause (c) of the present section 406 which is the last clause on the comment opposite page 3 reads as follows:

This subsection shall not apply to steamships plying on the rivers of Canada, including the River St. Lawrence as far seaward as a line drawn from Father Point to Point Orient or on the lakes of Canada other than lakes Ontario, Erie, Superior, Huron and the Georgian Bay.

Now, I do emphasize that that clause has been dropped in the new legislation before you and I would point out that as far as vessels of more than 5,000 tons operating on the lakes are concerned there is an order in council, P.C. 1087, dated April 22nd, 1948, which exempts cargo ships registered in Canada of 5,000 tons gross tonnage and upwards going on any voyage on the Great Lakes over 200 miles. So the situation before this legislation is passed is that all the vessels on the Great Lakes and operating down the lower St. Lawrence are not subject to it. And they would engage in that trade normally in international voyages.

Now, I would like to refer if I might to the treaty and to point out that in the treaty the distinction between the Great Lakes and other waters is made at the lower end of the Lachine canal. In the Lake Radio Treaty Great Lakes means all the great lakes which are connecting and tributary waters and the river St. Lawrence as far east as the lower exit of the Lachine canal to the Victoria Bridge at Montreal. And, as I shall show you, in the Convention for the Safety of Life in 1948, there is a similar distinction. That distinction does not arise because it is either safer or more safe on one side or the other side of that line, it arises because the navigation rules to the west of the lower end of the Lachine canal are different from those which obtain in the river St. Lawrence and the open sea, and I understand that is why that particular distinction has been arrived at in much of the legislation.

Now, while I am referring to the Lake Radio Treaty I would like to point out that the whole purpose of the Lake Radio Treaty is to make it obligatory on Canada and the United States in the Great Lakes as defined to have efficient radiotelephone communication at all times and in order to make it obligatory in this bill at the top of page 4 is a provision which says that "the Governor in Council may by regulation, to the extent and upon such terms and conditions as he may prescribe, provide that any ship navigating on the Great Lakes or on the River St. Lawrence above the lower exit of the Lachine Canal and the Victoria Bridge at Montreal shall be fitted with a radiotelephone installation." There is no "may". It is not permissive. And the policy behind that and the policy to which my clients are firmly attached is that that is the way that this problem of safety of life is being handled on the lake vessels, and therefore when we look at subsection 3 on page 3 and see that it is necessary to have a radio installation to comply with the provisions of the Safety Convention applicable to ships fitted with a radiotelegraph installation, we say why? What is the reason? Surely the Lake Radio Treaty which was negotiated for this very purpose has disposed of the problem so far as the Great Lakes are concerned and the wide application of section 3 to the lakes is not required.

I would like if I may to say something about the provisions of the Safety of Life at Sea Convention of 1948 which were considered and were inserted as a new schedule to the Canada Shipping Act by legislation of parliament in 1950.

Under the general provisions of that convention it says in the first regulation—Unless expressly provided the present regulations apply only to ships engaged on international voyages. Then it defines an international voyage as being a voyage from a country in which the present convention applies to a port outside such country. And I think it is quite evident from the trade that

the lake ship owners are engaged in that the 1948 convention does not, in its terms, affect them. And to a degree that is made even clearer by regulation 3 which reads:

Notwithstanding any provision or present regulations, nothing herein shall apply to ships solely navigating the Great Lakes of North American and their many tributary waters as far east as the lower exit of the Lachine Canal at Montreal in the Province of Quebec.

And under regulation 4 there is provision for exemption. I have dealt with these treaties briefly in order to establish my point that Canada, as I respectfully understand it, is under no obligation imposed by those treaties to do more than is being done at the present time.

Mr. CARROLL: What is your objection then to the bill so far as the Great Lakes are concerned at the present time? Is there any change in it at all?

Hon. Mr. CHEVRIER: You have no objection to it, as I understand it?

The WITNESS: No, not to the application of the treaty. But I say if the treaty is to be applied it seems curious that, in the same bill, radiotelegraphy shall be the basic rule, and that in order to carry a radiotelephone in the Great Lakes we have to apply for exemption.

Hon. Mr. CHEVRIER: I think I can explain the reason for that, perhaps not to your satisfaction; but as I understand it, the exemption was made to the operation of ships on the Great Lakes by way of the exchange of notes between Canada and the United States, or by way of an agreement between Canada and the United States. Because on the inland operation, the radiotelephone, I think, is perhaps more satisfactory in the Great Lakes than it would be on an international voyage. My understanding is that the International Convention on the Safety of Life at Sea makes wireless telegraphy mandatory, and when you leave the Victoria Bridge and go out into the Saint Lawrence river which widens into the gulf, then it becomes almost, in some cases, a sea voyage, in which case the radiotelephone does not operate as satisfactorily. But radiotelegraphy does operate satisfactorily. That seems to me to be the explanation which our people give.

I know that you are arguing against that, but my understanding of your position is that you are perfectly satisfied with this conclusion which has to do with the operation of the radiotelephone on the Great Lakes. You have no objection to that, but you do object to the mandatory installation of wireless telegraphy east of the Victoria Bridge.

The WITNESS: And also the fact that the legislation at present requires it in the Great Lakes unless we secure a certificate of exemption.

Hon. Mr. CHEVRIER: I think I gave an answer to that. We are bound by an agreement with the United States to see to it that the installation of the radiotelephone is mandatory and not to grant an exemption there.

The WITNESS: I cannot dispute that. But I am saying, however, that subsection (3) of the bill is contrary to the spirit of the engagement between Canada and the United States with regard to the Great Lakes because it says that all vessels and all steamships of 500 gross tonnage shall have the radiotelegraph.

Hon. Mr. CHEVRIER: Mr. Matthews tells me that there was no intention whatever of applying that subsection to the Great Lakes, and that the intention of that subsection was to catch those people—perhaps I should not use the word “catch”—but to include those people on the west coast, so that their tug boat operations would be covered by that section.

The WITNESS: Our point would be satisfactorily met by one or other of the suggestions we have made; but whether it was the intention or not it seems to me that if this bill is passed the lake owners would have to apply

for a certificate of exemption under 4 because the legislation says that he must carry it. There is no limitation in the legislation, and that is one of the things in the summary which I have produced to the committee.

I would like to see something enacted in which parliament says this does not apply to the Great Lakes, instead of parliament saying that the radio-telegraph is absolutely basic. Then, if the Governor-in-Council chooses to exempt, well and good. But it seems to me when parliament is considering a matter which has been subject to international agreements it should consider carefully, in enacting legislation which in turn is opposed to it, even though it uses the device of the Order in Council to give it an "out".

Mr. STUART: Is it not a fact that the great worry about this legislation is that it would be necessary, in your opinion, to train telegraph operator, whereas the radiotelephone is such a simple apparatus that anyone can use it?

The WITNESS: No. I would prefer to put it this way, and I say this with great respect. It seems to me that business of parliament in a matter of this kind is to deal with things that ought to be dealt with.

Hon. Mr. CHEVRIER: Do you not think you had better leave that to us, Mr. Wright?

The WITNESS: I put it respectfully.

Hon. Mr. CHEVRIER: I know.

The WITNESS: I put it this way: I know of no failure in this respect to which I can refer, and I know of no accident. I know of nothing that is crying out for this remedy. There is nothing to be remedied.

By Hon. Mr. Chevrier:

Q. I will tell you something to be remedied. I take a trip each year on the North Shore of the river St. Lawrence, and sometimes on the South Shore. I do a lot of telephoning and I can tell you that at a distance of 100 miles the telephone service is just terrible. And I am not the only one to make that statement. There are officers of the department who are with me and they will substantiate it. I tried to speak to somebody as close as Anticosti Island when I was below the Island of Orleans and I could not hear what was being said. Moreover, the weather was perfect. If anybody comes here and says that you can operate a telephone service over an area of 200 miles, perhaps that may be so on the west coast. I have had no experience there and I could not attempt to challenge such a statement. But I certainly could challenge it with respect to the North Shore of the St. Lawrence river where repeatedly I have had it happen.—A. I quite agree, Mr. Minister, and in the neighbourhood of Anticosti that is a very special case in the Dominion of Canada. There is a similar case in Lake Superior, but I do point out respectfully that a huge trade has been carried on quite satisfactorily, and I appreciate the minister's difficulties and embarrassments, but I know of no case and I have heard of no case where there is any question of life at sea involved in this matter in those waters.

Q. Well, how many ships, for instance, would this amendment affect? There are no new canallers being built at the moment, and how many canallers operate east of Victoria bridge?—A. Would you be able to give an estimate of that, Mr. Donald?

Mr. DONALD: I would imagine 25 canallers would be involved.

Hon. Mr. CHEVRIER: Thank you. Well, out of 200 ships that is not very many.

Mr. GREEN: What effect would it have on the picture if the St. Lawrence waterway was built and oceangoing vessels would start going up into the Great Lakes?

Hon. Mr. CHEVRIER: Well, I think that would be another question altogether. It would have some effect on it.

The WITNESS: I am quite unable to prophesy what would be the movement.

Mr. GREEN: That would affect the whole question, would it not?

Hon. Mr. CHEVRIER: I think so, and we would have to look at that again at that time, but since the St. Lawrence waterway is a project which will take five or six years to build when that decision has finally been taken, we can look at it then, but meanwhile we feel that these amendments should be brought forward.

The WITNESS: May I just address myself to the practical difficulties so far as these canallers are concerned. The canallers were relatively old ships that were built in the days before the present demands for crew were being met, and I think I can say with confidence that there is not on the canallers any more than on the tugs that were referred to this morning the space for the additional crew, and it presents a very serious practical difficulty if it is absolutely necessary to find that space. Then obviously the vessel would either have to be changed or stop taking part in the trade, but it is not something that can be done readily or easily or cheaply or efficiently.

Mr. CAVERS: Mr. Wright, what is your range of good hearing on the lower St. Lawrence? The minister has referred to the fact that he had difficulty there. Within what range can you hear well?

The WITNESS: I am sorry, I am not in a position to say.

Mr. STUART: I think the answer to that, to a great extent, is this, and that is, as I explained this morning, you will find one ship equipped with radiotelegraphy, whereas you will find 50 equipped with radiotelephones, and even with a hundred-mile radius it will be very usual during the shipping season for you to find ships within that 100-mile radius equipped with radiotelephones, whereas you would not be able to find one equipped with radiotelegraphy. I am just speaking from experience. On the east coast the radio telephone—and there is no doubt about it—is the answer to the problem.

The WITNESS: Well, gentlemen, I would simply like to draw your attention to paragraph 5 of the summary. There are five ways in which we suggest that our point could be met if it were thought fit to meet it. The first is to substitute for the words "five hundred" in subsection (3) the words "five thousand" which, I explained to you, would leave us in the same position we are now in. (d) would be to drop subsection (3). (c) would be to retain the gist of clause (c) of subsection (2) of the original Act as a proviso to subsection (3) reading as follows:

Provided that this subsection shall not apply to steamships plying on the rivers and lakes of Canada including the Great Lakes and the St. Lawrence River and Gulf as far seaward as the west coast of Newfoundland;

I have chosen that because that is as far as where the trade is now going. (d) for the words "outside of a port" in subsection (3), substitute the words "engaged on an international voyage". (e) By defining in section 3 more exactly the particular vessels it is meant to affect. Here we have all these people coming up and saying: "Do you mean us?" and it seems, with respect, that the last suggestion does offer a reasonable solution. There is simply one further point I would like to make. I am not in a position to enlarge on it, but I think that with the international treaties as they now stand, if we make the conditions heavier for Canadian ships under the Canada Shipping Act as it now is, it will enable American ships to operate in these waters without some of the equipment we would be requiring under this for Canadian ships.

Hon. Mr. CHEVRIER: Mr. Chairman, if I may, it is now a quarter to six, and it looks as if we cannot complete this tonight. I have a few suggestions to make. Dealing first of all with the representations which have been made

by Mr. Bird, it may be that a point has been made by those representing the British Columbia Towboat Association, and I would like to give consideration from now until tomorrow morning at 11 o'clock as to whether or not an amendment might be provided to meet that position. It may well be that that can be done. I have also listened carefully to what Captain Gillison has said and I would not be prepared—and say this to you, sir, respectfully—to amend that section which would provide for radiotelephone operations only on passenger ships on the west coast. I think that this amendment was drafted with an end in view to protect life at sea, and also it was given pretty careful consideration by this committee some two years ago, when I said we would look into it to see if we could not find some ways and means of meeting representations that were made then. However, I am not adamant on it. I think perhaps we could even look at that, but I do not feel well disposed towards it. Then the third representation made by the Dominion Marine Association and for whom Mr. Peter Wright so ably presented the case, I do not think that his position is prejudiced in the slightest because there are actually 20 ships involved, and they are all operating east of the Victoria bridge, and they can well be covered by exemption. However, again, there I do not want to be adamant, and what I suggest is that the counsel for the department, Mr. Matthews, and those associated with him, meet with Mr. Bird and Mr. Wright, and Captain Gillison, and see if from now until 11 o'clock tomorrow morning it is not possible to bring in an amendment which will meet the representations made and which would satisfy most of the committee members.

Hon. MEMBERS: Hear, hear.

The CHAIRMAN: Mr. Gibson would like to speak for a few minutes.

Mr. GIBSON: I think we have a very valuable witness here, an expert in communications and a consultant to the Minister of National Defence who has been here for a considerable portion of the time. I think perhaps you would like to hear him. He will be very brief. Mr. Tupper.

Mr. TUPPER: I do not believe it is necessary with this arrangement as it is.

Hon. Mr. CHEVRIER: Thank you very much, and I welcome your assistance to counsel if you care to give us the benefit of your experience sir.

Mr. RILEY: Could I suggest, Mr. Minister, that when this discussion takes place between Mr. Matthews and representatives of the West Coast Towboat Company, that consideration be also given to specific exemption for these vessels carrying out towing operations on the Atlantic coast. There are not many involved, but this subsection 3 has occasioned considerable concern among operators there.

Hon. Mr. CHEVRIER: I should think that any concession given to the west coast should also apply to the east, whether by legislation or exemption, I do not know, but I would rather have it looked into.

Mr. RILEY: They would prefer that the exemption be specifically mentioned in the legislation. It would relieve them of considerable concern for the future.

Hon. Mr. CHEVRIER: I will ask our people to keep that in mind.

The CHAIRMAN: All right gentlemen, 11 o'clock tomorrow morning.

Mr. HERRIDGE: Could I ask one question. Do these regulations regarding wireless telephone apply to minor waters.

Hon. Mr. CHEVRIER: Arrow Lake.

Mr. MATTHEWS: I should think that they would apply to all waters, but not to minor waters. They apply to inland waters, certainly, but I should not think ships of this size would be on minor waters.

EVIDENCE

MARCH 31, 1953.
11.00 a.m.

The CHAIRMAN: Gentlemen, we have a quorum and I think the minister would like to make a statement.

Hon. Mr. CHEVRIER: Mr. Chairman and gentlemen, following the suggestion which was made last night, the counsel for the department met with various other groups and I understand from Mr. Matthews that certain amendments will be offered this morning which I have before me and which I understand meet with the approval of the counsel.

My suggestion is we deal with the bill clause by clause and when we come to these amendments I shall read them and perhaps we could get the reaction of counsel who are making representations here on behalf of the various parties, if that is agreeable?

Agreed.

The CHAIRMAN: Any questions on clause 1?

1. (1) Paragraphs (a) to (f) of subsection (1) of section 114 of the *Canada Shipping Act, 1934*, chapter 44 of the statutes of 1934, are repealed and the following substituted therefor:

- "(a) if the steamship is a foreign-going ship, of one hundred nominal horse power or upwards where the propelling machinery is compound steam engines, or of forty-five nominal horse power or upwards where the propelling machinery is of any other type, with at least two engineers, one of whom shall be a first class engineer, and the other at least a second class engineer, duly certificated;
- (b) if the steamship is a foreign-going ship, of less than one hundred nominal horse power where the propelling machinery is compound steam engines, or of less than forty-five nominal horse power where the propelling machinery is of any other type, with at least one engineer, who shall be at least a second class engineer, duly certificated;
- (c) if the steamship is a foreign-going ship, solely employed in fishing, of more than twenty but of not more than seventy-five nominal horse power where the propelling machinery is compound steam engines, or of more than ten but not more than twenty-five nominal horse power where the propelling machinery is of any other type, with at least one engineer, who shall be at least a third class engineer, duly certificated;
- (d) if the steamship is a home-trade, inland waters or minor waters passenger ship, of more than forty-five nominal horse power where the propelling machinery is compound steam engines, or of more than fifteen nominal horse power where the propelling machinery is of any other type, with at least one engineer, who shall be at least a second class engineer, duly certificated;
- (e) if the steamship is a home-trade, inland waters or minor waters passenger ship, of not more than forty-five nominal horse power where the propelling machinery is compound steam engines, or of not more than fifteen nominal horse

power where the propelling machinery is of any other type, with at least one engineer, who shall be at least a third class engineer, duly certificated, or, if the ship is of the nominal horse power in respect of which a temporary engineer certificate may be issued under the provisions of section one hundred and twenty-five, an engineer with a temporary certificate;

- (f) if the steamship is a home-trade, inland waters or minor waters ship, other than a passenger ship, of more than seventy-five nominal horse power where the propelling machinery is compound steam engines, or of more than twenty-five nominal horse power where the propelling machinery is of any other type, with at least one engineer, who shall be at least a second class engineer, duly certificated;
- (g) if the steamship is a home-trade, inland waters or minor waters ship, other than a passenger ship, of more than twenty but not more than seventy-five nominal horse power where the propelling machinery is compound steam engines, or of more than ten but not more than twenty-five nominal horse power where the propelling machinery is of any other type, with at least one engineer, who shall be at least a third class engineer, duly certificated."

(2) This section does not apply in respect of a steamship that is provided with engineers all of whom obtained their certificates of competency as engineers before the coming into force of this section.

(3) This section shall come into force on a day to be fixed by proclamation of the Governor in Council.

Mr. MATTHEWS: May I speak on clause 1. There is a change which the Department of Justice has recommended. It is on page 2, line 37. This is the subsection which protects engineers who now have certificates, and the Department of Justice has suggested the words "all of whom" be struck out and the word "who" be placed in substitution. The reason is that in some ships they have a number of engineers, maybe three and four, and it was felt the word "all" is too restrictive.

Mr. GIBSON: What size of ship would have a forty-five nominal horse-power engine? As you know, first-class engineers are not too readily available and I am wondering what size of motorship would require a first-class engineer?

Mr. CUMYN: That would be a ship having an engine of approximately 2,500 brake horsepower. That might be approximately a 12,000-ton ship.

Mr. GIBSON: You think a heavy diesel engine would be something about 2,500 horsepower?

Mr. CUMYN: Yes.

The CHAIRMAN: Will clause 1 as amended carry?

Carried.

Clause 2?

2. (1) Subsection (2) of section 406 of the said Act is repealed and the following substituted therefor:

"(2) All passenger steamships, whether registered in Canada or not, other than passenger steamships of not more than sixty-five feet in length (measured from end to end over the deck exclusive of sheer), that are not within subsection one of this section shall before leaving any place in Canada on any voyage outside of a port, unless exempted

under the provisions of this Act or of the regulations made thereunder, be fitted with a radio installation complying with the provisions of the Safety Convention applicable to ships fitted with a radiotelegraph installation, and shall carry such operators with such qualifications who shall keep such watches as the Minister may prescribe, and while keeping such watches operators shall not engage in any other duties that in any way interfere with the keeping of watches.

(3) Subsection two also applies to all other steamships of five hundred tons gross tonnage and upwards going on any voyage outside of a port and to steamships under five hundred tons gross tonnage engaged in towing another vessel of five hundred tons gross tonnage or over or engaged in towing any other floating object having a dimension in any direction of one hundred and fifty feet or more, unless the vessel so towed complies with the requirements of subsection two.

(4) The Governor in Council may upon such terms and conditions as he may see fit exempt from the obligations imposed by subsections two and three of this section any ship or class of ships if he is of the opinion that, having regard to the nature of the voyage in which the ship is engaged and the radiotelephone installation on the ship, or other circumstances of the case, the provision of a radiotelegraph installation or the operation thereof is unnecessary or unreasonable."

(2) Section 406 of the said Act is further amended by adding thereto the following subsections:

"(5) The conditions of operation of the radio installations on board any vessel covered by this section shall comply with the Radio Regulations annexed to the International Telecommunication Convention in force.

(6) The Governor in Council may by regulation, to the extent and upon such terms and conditions as he may prescribe, provide that any ship navigating on the Great Lakes or on the River St. Lawrence above the lower exit of the Lachine Canal and the Victoria Bridge at Montreal shall be fitted with a radiotelephone installation."

(3) Subsections (3) and (4) of section 406 of the said Act are renumbered as subsections (7) and (8) respectively.

(4) Subsection (1) of this section shall not come into force on, or in respect of, any sea or inland water of Canada until proclaimed by the Governor in Council to be in force on, or in respect of, such sea or inland water.

Hon. Mr. CHEVRIER: In clause 2, subsection 3—that is subsection 3 on page 3—this amendment is being suggested: That subsection 3 be stricken out altogether and that in lieu thereof there be inserted this subsection which will read as 3:

(3) Subsection two also applies to all other steamships of five thousand tons gross tonnage or upwards going on any voyage outside of a port not being an inland voyage.

Now, I understand that that meets with the approval of Mr. Bird.

Mr. BIRD: That is correct.

Hon. Mr. CHEVRIER: And he says it does. That is the only amendment to clause 2 on that page.

Mr. GREEN: In other words you strike out all the reference to tugs towing a boom.

Hon. Mr. CHEVRIER: Yes. Then the other amendment to clause 2 is on page 4 and it is by striking out subsection (6), the one beginning with the

words "The Governor in Council may . . .", and in lieu thereof substituting the following:

(6) The Governor in Council may by regulation, to the extent and upon such terms and conditions as he may prescribe, provide that

- (a) a ship navigating on the Great Lakes or on the River St. Lawrence above the lower exit of the Lachine Canal and the Victoria Bridge at Montreal,
- (b) a cargo ship of five hundred tons gross tonnage or upwards but not exceeding five thousand tons gross tonnage going on any voyage outside of a port, and
- (c) a ship under five hundred tons gross tonnage engaged in towing another vessel of five hundred tons gross tonnage or over or engaged in towing any other floating object having a dimension in any direction of one hundred and fifty feet or more

shall be fitted with a radiotelephone installation.

That is to meet the objection of all other organizations here with the exception of Captain Gillison and I understand that meets with the approval of the Dominion Marine Association.

Mr. WRIGHT: Yes.

Mr. GIBSON: Mr. Chairman, I see you have left this clause in here "passenger steamships not less than 65 feet in length" in section 2.

Hon. Mr. CHEVRIER: Yes.

Mr. GIBSON: I can understand the minister's difficulty with this and I sympathize with him, and he has a valid point. Mr. Green yesterday made the point about these foreign ships coming in fitted with radiotelegraph and perhaps would not be able to communicate and in some cases they might not even be able to speak English, but I understand that does not apply because naturally the ships have pilots on them when travelling in our waters and are able to converse with our local vessels.

When we look at the whole history of marine accidents on the Pacific coast where passengers' lives were lost we will have to go back to the Gulf Stream. I think the only instance where we lost any lives in recent years was in the case of the Gulf Stream which was one of these small navy surplus type of vessels. In that case, as you realize, Mr. Green, the loss of life had nothing to do with the calling for assistance. They hit Dinner rock and drowned the passengers in the aft cabin and if they had had a wireless shack on it, it would have been inundated too. There has been no other instance on the Pacific coast in recent years where we have lost any lives on a boat. Their difficulty out there in losing lives seems to be when we get up in the air. I do not know whether in that case we should suggest they put on wireless telegraph. It seems that we take these passengers up in the air and do not give them a lifeboat or very much of anything.

Hon. Mr. CHEVRIER: We cannot deal with air passengers in the Canada Shipping Act very well.

Mr. GIBSON: If we were to demand that radiotelegraph operators be carried on every small boat on the Pacific coast, I know as far as my people in Comox Albernie are concerned it would be a hardship; they are not going to get any passenger service. A passenger ship comes in many cases once every two weeks and I know the economics of the case are such these small vessels are losing money even under present circumstances. On the west coast of Vancouver Island we have not had passenger service for almost a year. I sincerely trust when these exemptions are applied for that you look at the whole economics of the thing and be as generous as you can with due regard to safety. If you were to insist that these small boats over 65 feet in length that are providing our only passenger service out there must have radiotelegraph, you are

going to put them out of business and my people are either going to have to row a boat or swim. I do not think we have put anybody out of business so far.

Hon. Mr. CHEVRIER: I think I can give you assurance we will look at these exemptions with all consideration to the economics of the matter.

Mr. GREEN: I think we should place stress on the saving of life rather than on the economics; that should be the main consideration. I quite realize that some of these shipping companies lose money at times and can save money by doing away with their wireless operators and perhaps in 99 cases out of 100 no adverse result would follow. But, we have a very dangerous coast. Within the last year two of the largest passenger ships on the coast have been involved. The *Princess Kathleen*, flagship of the C.P.R. fleet, was sunk and there might very well have been a loss of several hundred lives in that sinking. The *Prince George*, flagship of the C.N.R. fleet, very nearly ran aground with very serious consequences, and had it not been for the skill of the master I think that would have happened. There again there might have been hundreds of lives lost.

There is always going to be a wish on the part of the operators that they could do without the expense of this wireless service, but I do not believe that the development of radiotelephone has yet reached a point where the wireless protection can be wiped out. And I think in the interests of the public at large that the minister was quite right in the stand he took yesterday against doing away with wireless on passenger vessels. I am not particularly concerned about the cargo ships, but I do think the department cannot be too careful in the case of passenger vessels. After all if there is an accident and several hundred people are drowned, the blame will be right back on the Department of Transport and I would hope they would err, if they have to err, on the side of protecting life on our coast rather than making the economics of the situation a little better for the operating companies.

Hon. Mr. CHEVRIER: I am glad that point has been raised because I would not like the committee or anybody else here to go away from this meeting with the impression that we put sections in the Canada Shipping Act and then do not intend to enforce them but simply see them eaten away with exemptions. That is not the intention of this section. It is not my intention to operate it that way, nor is it the intention of the officers of the department. It is put in there for the purpose of seeing that it is put into effect.

Now, there are occasions when exemptions should be granted. As I stated in the House of Commons, in view of the situation in Newfoundland because of the terms of the union many of the operators, mates, masters and others, were not able to abide by the terms of the Act. I think under those circumstances it is fair that certain exemptions be granted having regard to all the circumstances. In the case of the regulations having to do with fire prevention we made those pretty stiff and fortunately there has been no recurrence of the fire that took place two years ago. We have had, however, to relax those strict regulations because certain ships would not have been able to operate at all. I can think of some in certain parts of Ontario and Quebec and some in other parts of Canada that would not have operated had we not made exemptions, and I presume in this section we will meet the cases on a meritorious basis. But we have a board of steamship inspectors one of whose members you saw in action yesterday and again today, Mr. Cumyn, and Mr. R. C. Blyth. They do not make their recommendations lightly; they do it after going into them carefully and after receiving reports from the inspectors out in the field. A number of exemptions are tabled in the House and I do not think they are too numerous. I do not think it can be said we are too lax in granting them. But I repeat again that the intention of the officers of the department in putting these sections in the Act is to make sure they will be respected.

Mr. GIBSON: I appreciate what you say, Mr. Minister, but when Mr. Green talks about the loss of two or three hundred lives—and that is a lot of people—we have aeroplanes packing fifty or sixty people and there are no sure safety devices on them at all. However, I am thinking mainly of the small boats that ply the inland coasts and I find that my people are not getting any service as far as passenger steamship service is concerned. Everyone seems to think that because a person is in the steamship business he must have the financial resources of the C.N.R. but that is not the case. I am not speaking for myself, but I just want to point out that there are a lot of vessels out there that are providing a service to those small communities and they simply cannot operate if they are saddled with an extra ten thousand a year or something in that magnitude unless they are able to use radiotelephone.

Now, the minister says he will consider all the aspects of the situation and I am quite prepared to accept that because I know he is very fair on matters of this kind, but I just do not want it left so that as far as radiotelegraph is concerned it is mandatory on all these vessels.

The CHAIRMAN: Shall clause 2 as amended carry?

Carried.

Clause 3?

Mr. MATTHEWS: Before you deal with Clause 3 I should like to speak to a couple of amendments that have been circulated. The Act now provides in Section 411 and 412 for a radio receiving set licence and I think these two sections should be amended by striking out those words radio receiving set or private receiving station and that is the whole purpose of the amendment which has been circulated. I will read it:

On page 4 insert the following clause as clause 3:

3. (1) Section 411 of the said Act is repealed and the following substituted therefor:

411. No person shall establish any radio station or install or operate or have in his possession any radio apparatus consisting of a reasonably complete and sufficient combination of distinct radio appliances intended for or capable of being used as a radio station on board any Canadian ship or any vessel licensed in Canada except under and in accordance with a licence granted in that behalf by the Minister under this Act or The Radio Act, 1938.

(2) Subsection (1) of section 412 of the said Act is repealed and the following substituted therefor:

412. (1) Any person who establishes a radio station or installs or operates or has in his possession any radio apparatus on any vessel in violation of the provisions of this Act or of any regulations made hereunder, is liable on summary conviction to a fine not exceeding fifty dollars, and on conviction under indictment to a fine not exceeding five hundred dollars and to imprisonment for a term not exceeding twelve months, and in either case is liable to forfeit to Her Majesty, any radio apparatus installed or operated without a licence.

The third paragraph is to renumber the rest of the clauses, and the rest of this amendment has to do with the revised statutes, except the last paragraph, 7, which is as follows:

Add the following as clause 15:

15. Section 3 of this Act shall be deemed to have come into force on the 31st day of March, 1953.

I suggest there is no controversy and that the whole amendment be dealt with at the present time.

Mr. GREEN: Is that new section 3(1) designed to cover both radiotelegraph and radiotelephone?

Mr. MATTHEWS: Yes, Mr. Green.

Mr. GREEN: Section 411 of the Act as it now reads only refers to radio-telegraph.

Mr. MATTHEWS: No. That was amended in 1950. It reads now: "No person shall establish any radio station or private receiving station..."—it covers everything.

The CHAIRMAN: Shall new clause 3 carry?

Carried.

Clause 3, now clause 4.

Carried.

Mr. CARTER: May I ask one question?

Mr. BROWNE: We have a new clause 3.

Hon. Mr. CHEVRIER: In clause 3 we shall now have the amendments to 411, 412, and 475.

Mr. GREEN: Mr. Chairman, about the old clause 4 which is the new clause 5—

Hon. Mr. CHEVRIER: We have not reached it yet.

Mr. CARTER: Are we on clause 4 now?

Hon. Mr. CHEVRIER: Yes. I am sorry. We have just reached it.

The CHAIRMAN: Clause 4, now clause 5:

4. The said Act is further amended by adding thereto, immediately after section 608 thereof, the following section:

"608A. (1) The Governor in Council may designate harbours or districts at which port wardens, deputy port wardens and such clerks and servants necessary for the proper conduct of the port warden's office may be appointed in the manner authorized by law, all of whom hold office during pleasure.

(2) All acts done by or before such deputy port wardens have the same effect as if done by or before a port warden.

(3) All fees received under this Part by port wardens appointed under this section shall be paid to the Receiver General of Canada and shall form part of the Consolidated Revenue Fund.

(4) A port warden or deputy port warden appointed under this section may be appointed to any other office under this Act and in such case, in addition to his salary as port warden or deputy port warden, shall be remunerated for his services in such other office in the manner provided under this Act for that office.

(5) Sections six hundred and eight, six hundred and ten and six hundred and thirty-three do not apply to port wardens, deputy port wardens, clerks or servants appointed under this section."

Mr. CARTER: I was going to ask about these port wardens. Are these to be appointed only in connection with National harbours?

Mr. MATTHEWS: No. The port wardens can be appointed at any port where sufficient business will justify the appointment.

Mr. CARTER: Are their duties the same as harbour masters?

Mr. MATTHEWS: No. The port warden looks after the inspection of cargo and grain loading regulations.

Mr. CARTER: That only applies to very large ports?

Mr. MATTHEWS: I think that would be the case.

Mr. CARTER: It would not apply to ports where you just have small docks?

Mr. MATTHEWS: I should not think so.

Mr. BROWNE: I would like to know something more about these port wardens. I never heard this term before. We have none in Newfoundland.

Mr. MATTHEWS: No.

Mr. BROWNE: Have they any in Nova Scotia at North Sydney for example?

Mr. MATTHEWS: I think Captain Kerr should speak on that point.

Captain KERR: My name is J. W. Kerr, Supervisor of Nautical Services in the Department of Transport.

Mr. Chairman, Mr. Minister and gentlemen. Port wardens are stationed in the principal ports. There are port wardens at Sydney, Halifax, St. John, New Brunswick; and also at Vancouver, New Westminster and Victoria on the west coast.

Mr. BROWNE: At North Sydney?

Captain KERR: The port warden at Sydney will perform the duties at North Sydney when required.

Mr. BROWNE: Can you tell me what his duties would be there?

Captain KERR: In the event of a ship arriving in distress the port warden may act as a surveyor and issue a certificate of seaworthiness. The certificate is of great importance in marine insurance work.

Mr. BROWNE: Is he a full-time man?

Captain KERR: He is a full-time man at Sydney.

Mr. BROWNE: Is he something like a Lloyds surveyor?

Captain KERR: No. They are quite separate and apart from port wardens, but the port warden might be employed by Lloyds to make a survey in the event of a Lloyd's surveyor not being present.

Mr. BROWNE: Would the man at Sydney be kept busy?

Captain KERR: At Sydney he is also the harbour master and shipping master.

Mr. GREEN: There is power under section 608 of the Canada Shipping Act as I understand it to appoint these port wardens and this new section seems somewhat of a duplication. Can you explain the difference in the effect of the two sections?

Captain KERR: Mr. Green and gentlemen, at some ports it is very difficult to obtain the services of a first-class seaman to perform the work to be done. Take Prince Rupert, for instance. The grain business at Prince Rupert lay dormant for several years. Last year it was revived. Probably it will be active this year. In order to attract the right type of person for the job it is my understanding that the proposed amendment to this part of the Act will give the minister permission to place a port warden on salary, if required.

Difficulty has been experienced in finding the right type of seaman at the smaller ports, on the basis of fees of office. In order to attract the right type of persons to the work it has been necessary in some cases to combine the post of port warden with several other duties to bring remuneration up to a proper level.

This would facilitate the appointment of competent seamen to positions as port wardens especially in those ports where difficulty has been experienced in attracting experienced seaman to do the work.

Mr. GREEN: Will the result be that some port wardens will be appointed under section 608 and receive their remuneration from fees, while other port wardens will be appointed under section 608-A, by the minister on a salary basis?

Mr. KERR: That is my belief.

Mr. GREEN: So there will be two different types of port warden?

Mr. KERR: The port wardens would carry out the same functions.

Hon. Mr. CHEVRIER: You would not want a full-time employee in certain ports where there is little or no business. But where they would be required, you would want to have somebody in attendance.

Mr. KERR: Yes sir.

Mr. GREEN: A port warden appointed under section 608-A would not get the fees, but would be paid a salary?

Hon. Mr. CHEVRIER: That is right.

Mr. CARTER: Do you have any yardstick by which to measure the size of a port to ascertain whether or not it would require a port warden?

Mr. KERR: The principal functions of the port warden are the supervision of the loading of grain cargoes and timber deck cargoes. These cargoes are the yardstick to be employed in deciding the importance of a port in this sense.

Mr. GREEN: Would you need a port warden at Kitimat?

Mr. KERR: I would think not.

Hon. Mr. CHEVRIER: You certainly would not need one now but eventually, with an increase of traffic, you might, and with all the bauxite coming in.

Mr. GREEN: Are port wardens appointed under section 608-A to be selected by the Civil Service Commission or appointed by order-in-council?

Hon. Mr. CHEVRIER: They will be selected by the Civil Service Commission.

Mr. BROWNE: What is meant by this phrase "in the manner authorized by law"? Does that mean that it comes under the Civil Service Act?

Mr. MATTHEWS: That is correct. That is the usual expression for that kind of appointment.

Mr. GREEN: One result will be that the person using the ports, where a warden is appointed on a salary basis, will not have to pay fees.

Mr. KERR: Oh yes, he will have to pay fees. Those fees will go to the Receiver General of Canada.

Mr. GREEN: He cannot get out of paying fees.

Mr. BROWNE: Perhaps he will get a salary which he will like better, if it is larger.

Mr. KERR: I think the practice is that the fees are used to pay the salary of the port warden.

Mr. CAVERS: The fees payable by a shipping company would be the same, whether the port warden was on a fees basis or on a salary basis.

Mr. KERR: Yes.

Mr. STUART: It is a tonnage tax?

Mr. KERR: We do not use that term.

Mr. GIBSON: It sounds something like a tea tax.

Mr. BROWNE: I think you said it was principally in connection with grain cargoes.

Mr. STUART: And lumber.

Mr. BROWNE: Have you a port warden at Fort William?

Mr. KERR: Yes, we have.

(A member asked at this point if a port warden is stationed at the head of the lakes and the following answer was given.)

Mr. KERR: We have ocean going ships going up to the head of the lakes. It is quite possible that if those ships were to load bulk grain cargoes for overseas destinations, or take on deck cargoes, they would become subject

to a certificate of the port warden. This is governed by the International Convention for the Safety of Life at Sea.

Mr. BROWNE: You would use him in connection with coal?

Mr. KERR: Yes, if necessary.

The CHAIRMAN: Shall clause 4 which is now clause 5 carry?

Carried.

Shall clause 5 which is now clause 6 carry?

5. Section 21 and Part VI of the said Act shall come into force in the Province of Newfoundland on a day to be fixed by proclamation of the Governor in Council, and, until a day is so fixed, the laws in force in Newfoundland at the date of Union between Newfoundland and Canada relating to the same subject matter shall continue in force.

Mr. BROWNE: On clause 5 I should like to ask the minister what the situation is in regard to this. Is it his intention not to bring this part into operation, or is there an understanding with the people there about further delay? I have not received any representations about it. It has to do with the security given by the masters to pilots.

Hon. Mr. CHEVRIER: May I just consult with Captain Kerr. The information which Captain Kerr gives me is that it is the intention to prepare for the putting into operation of this part in the future, but it will take some time to get the plan under preparation, and he is not able to say when he will be able to advise me.

Mr. BROWNE: You do not intend to do it right away, as soon as this Act is passed?

Hon. Mr. CHEVRIER: No.

Mr. BROWNE: I would like to say in regard to the observation which the minister made a few moments ago in excusing the bringing into effect of certain provisions in Newfoundland in regard to the certificates which the masters and mates are given down there, they used to have a higher class of certificates than is necessary in Canada to operate ships. The master would get a foreign-going certificate which would enable him to go all around the world, while I believe the class of certificate which they get here would enable them only to go coastwise.

Hon. Mr. CHEVRIER: Coastal trade.

Mr. BROWNE: So that our classification was really higher.

Hon. Mr. CHEVRIER: I know that you wanted to get that on the record, Mr. Browne, and I have no objection at all.

Mr. BROWNE: But the class of person you would be favouring would be the person who had not taken out that class of certificate but who knew, from his experience in travelling around the coast where the rocks were not, so to speak.

The CHAIRMAN: Shall clause 5 which is now clause 6 carry?

Carried.

Shall clause 6 as amended carry?

Hon. Mr. CHEVRIER: There will be a consequential amendment in this part 2 because of the amendments which we introduced in part 1. Could we call it as amended?

The CHAIRMAN: Does clause 6, now clause 7, as amended carry?

Carried.

Does clause 7 which is now clause 8 as amended carry?

Carried.

Does new clause 9 carry?

Does clause 8 which is now clause 10 carry?

Carried.

Does clause 9 which is now clause 11 carry?

Carried.

Does clause 10 which is now clause 12 carry?

Carried.

Does clause 11 which is now clause 13 carry?

Carried.

Does clause 12 which is now clause 14 carry?

Part III.

12. *An Act to amend the Canada Shipping Act, 1934, chapter 26 of the statutes of 1950, is amended by adding thereto the following section:*

"64. (1) Notwithstanding anything in this Act and notwithstanding the issue of a proclamation under section sixty-three of this Act, subsections three, four, seven, nine to thirteen, and sixteen to nineteen of section one, subsection two of section fourteen, section sixteen, sections twenty-three to twenty-six, sections twenty-eight to thirty-four, subsection three of section thirty-five, section thirty-six to forty-nine, sections fifty-two to fifty-eight, and section sixty-one of this Act are not applicable in respect of any country that is a party to the International Convention for the Safety of Life at Sea, signed at London on the thirty-first day of May, 1929, but is not a party to the International Convention for the Safety of Life at Sea, 1948.

(2) Subsection one of this section is repealed on a day to be fixed by proclamation of the Governor in Council."

Mr. GREEN: With respect to clause 14, could we have an explanation of it again from Mr. Matthews?

Mr. MATTHEWS: In connection with that clause, it has to do with the coming into force of the safety convention of 1948.

That safety convention came into force last November. An amendment to the Canada Shipping Act was made in 1950 to implement that convention and it came into force on December 31, 1952. That is to say, ships coming into Canadian ports will have to have certificates under the new convention. But there are certain countries which have not joined the new convention, consequently their old certificates will remain valid for one year. That is a provision of the new convention. So this section is a transitional section which will allow Canada to recognize the certificates of ships belonging to the countries which are not parties to the new convention until November 19 next. After that date, any ship coming into a Canadian port will have to produce a certificate under the safety convention.

Mr. GREEN: What are the principal countries which are not parties to it?

Mr. MATTHEWS: I think that Russia is the principal country.

Mr. GREEN: Russia is the only country that has any substantial merchant navy, but it is not a party to it?

Mr. MATTHEWS: I think so. Various countries signed up from time to time. There had to be a certain number in order to bring it into force. I think the principal maritime nations of the world have signed it now. However, I am not sure about Panama. But the principal countries have now ratified the convention with the exception of Russia.

Mr. GREEN: Will Russia and Panama be required to issue a new type of certificate for their ships coming into Canadian ports?

Mr. MATTHEWS: Yes. I would think that after November 19 they would have to have a certificate which is at least the equivalent of the requirements of the Canadian Steamship Inspection, if they wish to come into a Canadian port.

Mr. GREEN: What would happen if they did not have it?

Mr. MATTHEWS: If they come in, they might be held up. There might be some difficulty about it and I suppose they would not come in.

Mr. CARTER: Does that apply to passenger ships or to cargo ships?

Mr. MATTHEWS: That applies to passenger vessels and cargo vessels.

Mr. CARTER: In my riding we have a considerable traffic between Newfoundland and St. Pierre which belongs to France. There is considerable passenger traffic there. Football teams go back and forth. We have set up a rigid requirements with regard to our own ships for the protection of life. Is there anything in the Canada Shipping Act which prevents a foreign ship from taking Canadian passengers without meeting those requirements?

Hon. Mr. CHEVRIER: A French ship would have no right to take passenger from a port in Newfoundland to a foreign port. That would be a violation of the right of cabotage.

Mr. CARTER: You say that if I go from Newfoundland, a port in my riding, to St. Pierre which is a foreign port, a French ship could not take me?

Mr. MATTHEWS: Yes. I think they could do that.

Mr. BROWNE: The French steamer is the only way of getting across to St. Pierre.

Hon. Mr. CHEVRIER: Well, I must have misunderstood your question. I thought that it would be an offense against cabotage and could not be done.

Mr. CARTER: Not from a Newfoundland port to a French port.

Mr. MATTHEWS: I would think that would be the same thing as a passenger from Newfoundland going to Boston on an American ship.

Mr. CARTER: Does the Canada Shipping Act set up requirements which a foreign ship must meet?

Mr. MATTHEWS: Yes, it does, under the safety convention; it does require a certificate.

Mr. CARTER: Therefore if a foreign ship did not meet those requirements for the safety of life, and for fire protection and so forth, then the Canada Shipping Act could be applied to prevent it from carrying Canadian passengers.

Mr. MATTHEWS: I think that is so.

The CHAIRMAN: Shall new clause 15 carry?

Carried.

The CHAIRMAN: Shall clause 12, now clause 14 carry?

Carried.

The CHAIRMAN: Shall the title carry?

Carried.

Mr. GREEN: There is a new section 15 which brings section 3 of the Act into force as of the 31st of March.

Mr. MATTHEWS: That is right. That has to do with the radio receiving sets which I spoke about, and the licences for them. After March 31 they are no longer required.

Hon. Mr. CHEVRIER: There are two new section, 411 and 412, which have been introduced, and which add two clauses to the bill.

The CHAIRMAN: Shall the bill as amended carry?

Carried.

Shall I report the Bill, as amended.

Agreed.

Mr. McIVOR: I would like to express appreciation to the director for the brief answers he has given to the questions asked by the witnesses, and also to the legal advisor. I think that was a real treat.